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THAT COLONEL MITCHELL would be found guilty was predictable when his court martial assembled. If there had been any doubt, some of the utterances of members of the court would have made their prejudice plain. But prejudiced or not, they could find no other verdict. Colonel Mitchell was technically guilty, and the court had, moreover, to stand by the service and the War Department. To render any other verdict would call for a bench of moral heroes such as cannot be found in any army. The system simply had to be sustained. As for the sentence, it is obviously inadequate. Colonel Mitchell should have been dismissed if guilty of untruthfulness in accusing the War and Navy departments of treasonable negligence and of needlessly sacrificing human lives. But that would have made him a martyr, which the War Department did not want. Moreover, if Colonel Mitchell were dismissed he could tour the country denouncing both the departments. Now, if he accepts the sentence, he will still be under military control and subject to another court martial if he speaks again. Under the circumstances it would not be surprising if he should resign. We hope he will and keep the fires of criticism alight. The final blow to Colonel Mitchell's case was the publication of two official statements—first, the report of the Morrow board whitewashing the Air Service, then the letter from former Secretary Weeks to President Coolidge attacking Mitchell's record. The inadequacy of the Morrow report is described in an article by Mr. Scaife on another page of this issue. The irony of Secretary Weeks's criticism is also revealed in that article through a fragment of correspondence which shows the Secretary of War intervening with the Department of Justice in behalf of an aircraft company accused of defrauding the government.

SECRETARY KELLOGG'S DEFENSE of his course in the Saklatvala and Karolyi cases before the Council of Foreign Relations in New York City was marked by much passion and self-righteousness. He insisted that the law was right, that he believed in it, and that to protect America from people whose opinions were not liked was a sacred duty in order to protect free speech and the other liberties which he reminded us took hundreds of years to win. He and his critics have precisely the same end; they differ only as to methods! Nothing could, in our judgment, display more clearly the mental confusion of our Secretary of State. Of course, in the case of the Karolyis they are not communists, nor anarchists, nor even socialists, and Mr. Kellogg is careful not to quote any of their alleged views. He takes refuge behind that clause of the law which makes it unnecessary for the Secretary to state why anybody is excluded. So the American public is left in the dark as to what terrible things about the Karolyis our consular and diplomatic agents abroad have confided to the State Department. The best comment on this passionate outburst of Mr. Kellogg we take from the New York *World:*

> That inquisitive child the American Public is at it again.
>
> "Ma," it pipes.
>
> "Yes, dear," says Mother Kellogg.
>
> "Ma, why can't the Countess Karolyi come into this free country?"
>
> "Because," answers Mother Kellogg.
>
> "But, Ma, what law is there that keeps her out?"
>
> "It may be this law; it may be that law. Children shouldn't ask questions."
>
> "But, Ma, don't you have to prove something to me?"
>
> "No, dear, I don't. That is quite enough for you to know."
>
> "But, Ma, isn't it any of my business? And if it isn't what is?"
>
> "Never mind. Now toddle off to bed. And don't ask questions. Mother knows best."

HOW MUCH LONGER is the idea going to prevail that the President is a leader? The receipt of the invitation to join the preparatory disarmament conference at Geneva threw him into a flutter. He had announced in speech after speech that he would join any such conference and welcome it. When the opportunity came Mr. Kellogg was sent flying to Senator Borah and other Senators to ask what to do. At first the brave leader was for leaving the whole matter to Congress; then it was decided to accept, and to put up to Congress the question whether it would appropriate money for the necessary expense. Then it was suddenly declared in the press that the President had decided that it was useless for America to attend a land disarmament conference because we had nothing to disarm! On another page of this issue Frank Kent sets forth how the President and his *fidus Achates,* Mr. Butler, have stultified themselves in the matter of Senator La Follette. As for the threatened punishment to be visited

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upon Mr. Lewis of the Miners' Union for his "impudent" letter to the President and the threat to ask Congress to take away the right to strike from men in essential industries, not one word has been heard—precisely as we prophesied in our issue of December 9. Yet both of these things were heralded in the pro-Coolidge press as certain to come; the President was boiling with indignation! As for the World Court, Mr. Coolidge is putting up no fight at all. If the proposal goes through it will not be because of any leadership or any utterance of the President. That timid, shrinking violet must now decide what to do with twenty recommendations sent to him by the Tariff Commission. It is a safe bet that he will run from them or defer action just as long as he possibly can.

BUT POLITICS the President can play. For months past the tipster services from Washington had been announcing that in response to an "overwhelming demand" from the South the President was going to appoint a Southern member of the Interstate Commerce Commission. This fact was mysteriously coupled with the nomination of Thomas F. Woodlock to the same commission, with the prophecy that this would result in Mr. Woodlock's confirmation by the Senate, which refused to confirm him last spring. The prophecy has come true. A Southerner, Richard B. Taylor of Mobile, was nominated for a place on the Interstate Commerce Commission, and simultaneously the name of Mr. Woodlock was sent back to the Senate. A Washington newspaper and Senator Blease have both declared that this is a straight-out deal to obtain the confirmation of Mr. Woodlock by Southern Democratic votes. It will be interesting to watch the outcome. Mr. Woodlock is entirely unfitted, by reason of past associations, for a place on the commission. The progressive Republicans refused to accept him last spring. The simple question now is whether the President has bought enough Democratic votes. If the nomination goes through there will be no denying the deal and the fact that the Democratic Party has sunk one degree lower in the scale of political decency.

IS PROFESSIONAL RIGHTEOUSNESS PROFITABLE? Here comes John W. Davis, Leaguer and regretter for "backward America," and professes deep indignation that the Government should venture to assail the legality and morality of the notorious Chemical Foundation transaction, by which the magnates of the chemical industry, conniving with A. Mitchell Palmer and Francis P. Garvan, Alien Property custodians, transferred from government custodianship to themselves nearly 5,000 German patents, worth many millions, for a paltry $50 each—all this months after the armistice. The Government now seeks to show in the United States Supreme Court that the custodian could not sell to a dummy corporation, of which he was president, that he was still a trustee notwithstanding his power of sale and therefore was bound to obtain fair prices, that the sales committee of distinguished names was a smoke-screen for perpetrating a giant conspiracy to appropriate private property, and that not only the private owners but also the United States Government has been robbed of valuable property. The Chemical Foundation, smoke-screen for the dye magnates, alleges in effect that to make these charges is to question the integrity of distinguished names, and that in any event President Wilson, who actually was permitted to know little about the matter, and Frank L. Polk, his *alter ego*, had the power, if they saw fit, thus to give away this valuable private property. To sustain the deal the lower courts were impelled to hold that the statute gave the custodian the power to confiscate the property, a conclusion which we believe to be false.

AN ENORMOUS AMOUNT of money has been and is being spent by the Chemical Foundation (really the chemical industry), worshipers of the god of property, to sustain one of the most disreputable spoliations of private property ever recorded. Thus does war and its aftermath deprave private and public morality. At no other time could responsible people fail to see that the mere effort to defend or palliate so brazen a transaction is a disgrace to every one connected with it. But it is interesting to find that those who defend it are among the great uplifters, Leaguers and World Courters, and advocates of rostrum righteousness generally wherever the chance offers. How many of them profess to be shocked by the Soviet Government and oppose its recognition because it confiscated private property! How many of them serve on committees to study the crime wave! Ex-Attorney General Stone, in attacking the Chemical Foundation scheme in the Circuit Court of Appeals, said that "it will be a dark day for this republic when public officials, charged with public duties and responsibilities, can do the acts disclosed by this record without any consequences to them and those who claim under them." If the scheme is sustained by the Supreme Court, which we hesitate to believe, it would seem to be fitting to open the jails and let out the mere undergraduate "pikers." They would be only tyros in the art. And yet John W. Davis actually takes a brief for this conspiracy to defraud and tries to conceal the issue by declaring that it is an attempt to besmirch the name of Woodrow Wilson!

THE DISCREDITING OF POINCARE, as well as the reputation of Archibald Cary Coolidge of *Foreign Affairs* for editorial fairness, is advanced by the publication in the January issue of an incisive reply to Poincaré's self-administered dash of whitewash in the October number in regard to the origins of the World War. Ex-Chancellor Wilhelm Marx buries Poincaré under cumulative proof of the overt guilt of the latter in conjunction with Izvolski. Poincaré's chief excuse—an allegation of the spurious nature of the Russian documents—is demolished by citing Sazonov's recent admission of their authenticity. Dr. Marx shows how the Triple Alliance became weaker from 1900 to 1914, while the superiority of the Entente in armaments is statistically demonstrated. Particular stress is laid upon the collusion between Izvolski and Poincaré, covering such points as Izvolski's diplomatic failures up to 1912 in his plans to secure the Straits for Russia; his preliminary negotiations with Poincaré; the latter's grant of a free hand in the Balkans to Russia; the corruption of the French press by Russian money; the recall of the pacific Georges Louis from St. Petersburg and his replacement by the belligerent Delcassé and Paléologue; the French loans to Russia from 1912-1914 with the condition that the money would be used to increase the size of the Russian army and navy and to build more railroads to the German frontier; and the Franco-Russian war aims, formulated in 1914 or earlier, which involved the dismemberment of Germany and the destruction of her economic power. Dr. Marx also points out the Serbian responsibility for the murder of Franz

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erdinand; the belligerent attitude of Poincaré on his St. etersburg visit, with his grant of a blank check to Russia n the Austro-Serbian crisis; the actual precipitation of ostilities by the Russian general mobilization on July 30. Ve believe that the distinguished retailers of the mythology f 1914-18 will be more wary henceforth.

"WE OF THE CONSERVATIVE PARTY have no idea, no knowledge, of another war, but we of the onservative Party believe that if another crisis should rise which might threaten our country—which we do not xpect—this country should not send troops out of Canada ithout the people being consulted." Thus Arthur Meighan, eader of the Conservative opposition in the Canadian Parament. As if to call additional attention to so remarkable statement he later repeated it in the Bagot constituency n Quebec before a French audience. The statement is being ccepted by the bulk of the Canadian press as meaning that anada will not go into another war on behalf of the mother ountry until not only the Canadian Parliament has been onsulted but the people themselves have spoken in a referndum. This is a remarkable change of face as well as an nspiring step forward, for Mr. Meighan in September, 922, made a speech at Toronto in which he denounced the hen government of Canada for not having immediately eplied to Great Britain's query whether Canada would tand by in the event of trouble with Turkey with the mesage: "Ready, aye, ready; we stand by you." He was then ghast at the idea that the Canadians should determine for hemselves whether they would or would not go along with ngland in a given case. His change of position must be aken at its face value, because there is no special political eason or emergency to make him take so radical a stand. Moreover, he is probably to be the Premier of Canada in 926. Thus, he promises to do what Woodrow Wilson declared was impossible in 1917—to use the democratic method f finding out whether the people of a country wish to go to ar before condemning their sons to death and disablement.

MR. HOOVER has told the Society of Mechanical Engineers that America spends ten times as much for osmetics in a year as it does for pure research. It is all ery well, he says, to glorify America for its progress in pplied science and general industrial development, but the ackbone of that development—research in pure science—s lamentably weak. "Instead of leading all other counries in the advancement of scientific knowledge, the United tates occupies a position far in the rear of the majority f European nations." He cites the work of Maxwell on Iertzian waves, of Becquerel on radio activity, of Einstein s examples of pure science carried on with no incentive xcept a divine curiosity but often resulting in applications f the highest practical importance. Radio, for instance, ould have been unthinkable without Maxwell's work. We econd Mr. Hoover's plea with all possible emphasis and nly wish that charity might have begun at home. In Mr. Hoover's Department of Commerce, especially in the Bureau f Standards, pure research has had a hard time of it in ompetition with commercial problems and direct aid and omfort to industry. The Bureau of Foreign and Domesic Commerce is Mr. Hoover's favorite son, rather than the cientific work of the Bureau of Standards. Appropriaions for research, we are told, have not been warmly recomnended. And morale is not helped when new scientific discoveries appear more in connection with the Secretary's name than with that of the scientist who made the discovery. If Mr. Hoover is in earnest—and we believe that he is—let him lead the way by giving all possible support to that devoted group of scientists who call him chief.

THE DEATH OF FRANK MUNSEY is chiefly interesting because of his ownership of two New York dailies, the *Sun* and the *Telegram*. In journalism he was essentially a dealer in dailies. An ardent Progressive in the Bull Moose campaign, one of the two men who induced Roosevelt to bolt from the Republican Party by promises of money and support, Mr. Munsey was normally extremely conservative and was responsible for the production of newspapers whose editorial opinions were of little or no value, while they themselves were dull. At Mr. Munsey's door must be laid, too, the death of two historic papers, the *Herald* and the *Sun*, which should have survived and could have had they fallen into other hands. Mr. Munsey, himself, was an extraordinarily successful merchant; the owner of the Mohican grocery and meat stores, he kept them to standards of efficiency and scientific management which were unsurpassed. His early struggle to establish himself in the magazine field of New York showed that he was possessed of extraordinary courage, tenacity, and determination to succeed. The struggle he made after arriving in New York, as an unknown lad from Maine with but forty dollars in his pocket, deserved success, and no one could begrudge him the power that he achieved. But when he entered the newspaper field he did not help but hurt the cause of American journalism. His death without immediate heirs makes possible the establishment of another daily like the old *Evening Post*—if there are those who care about having one.

IN CALIFORNIA, where the plums are as big as apples and the apples as big as grapefruit and the grapefruit as big as watermelons and the watermelons as big as a Ford runabout, it is not unexpected that there should be an extraordinary number of geniuses. Thus one is not surprised to hear that 1,000 phenomenally gifted children have been discovered in that land of plenty who are to be educated in a super-university surrounded, presumably, by other geniuses as instructors in an attempt to "give genius a chance," to provide for it a course of instruction in an atmosphere uncorrupted by the mediocre children who fill our public schools. Only one thing is needed to start the university going, and that is a mere $5,000,000, which in California is doubtless swept up by every bank charwoman twice a day and thrown into the waste-basket. Probably by the time these lines are written five times $5,000,000 will have been assembled and the university will be well under way. California is like that. And when the little geniuses are all educated and go out to conquer a waiting world, unlike other hopeful university graduates, they will really do something big, something big enough even to be a credit to California. They will not spend their time selling sewing machines or life insurance or even real estate; they will not become bond salesmen or school teachers. They will be different, because they are California's biggest and best product. If there are any unkind Easterners to point out that California genius may be all right, but that California fruit has more looks than taste, away with them. They do not deserve to be uplifted or helped by educated genius and probably they will not be.

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Budgets, Taxes, and Waste

PRESIDENT COOLIDGE and Secretary Mellon are very proud of the tax reductions they have already accomplished and are now about to carry further with the aid of Congress. The President ascribes them in considerable degree to the budget system. "Without it," he says, "all the claim of economy would be a mere pretense." He cites the reduction of the departmental estimates for ordinary purposes—from $4,068,000,000 in 1922 to $3,156,000,000 for 1927—as the best possible proof of the value of the budget and of the Controller General. That the control of the budget has accomplished much good and that its establishment has been a long step toward scientific control of our national finances no one will, we think, deny. But while the machinery of budget-making may be all that is desired, the question must still be raised, as with every other governmental device, whether those who are operating it are doing so wisely and to the public interest. Neither a reduction of taxes nor of the budget is necessarily a good thing. It depends where the savings are made.

Take the example of Belgium. American financiers have just compelled a cut of $350,000,000 in the budget of that country as the price of advancing funds to stabilize the Belgian currency. Is the cut made in the cost of the useless army which could successfully defend Belgium against no adjacent Power, save possibly Holland? Not at all. The outcry in Belgium against the United States which has arisen since the facts became known and have been officially admitted by M. Vandervelde is reported to be in large measure due to the cutting of the appropriations for important social and cultural purposes. Belgium naturally resists any outside interference with her budget. She has a right to feel keenly, after all her experiences and hardships since 1914, that if some of the most important social services of the country are to be sacrificed to such an extent this particular budget-saving becomes not a blessing but an evil, the responsibility for which must be shared both by the Belgian Cabinet and the American financiers. Similarly it is of the utmost importance to find out in our own case whether the cuts are made in the right place and whether the taxes to be remitted are the proper ones.

A perusal of the President's budget messages and of Secretary Mellon's statements leaves us still unconvinced on more than one point. Thus the saving in taxes is to be only $336,000,000, less than 10 per cent of the amount to be raised in the coming fiscal year. Now, to maintain that the lopping off of $336,000,000 is necessary, as the President suggests, on the theory that undue taxation is confiscation of private property, seems to us absurd. So does the hoary old Mellon contention that if our high taxation is not reduced there will not be sufficient money available for new financing or for new business enterprises. The ridiculousness of that view is evident if we but consider the daily export of American capital to Europe and the willingness of the lenders to export a good deal more if Mr. Mellon were not using his control of private loans to compel debt adjustments—as he himself admits—and if we consider the almost incredible sums now being put into building enterprises. Thus, during the month of November, building and engineering contracts awarded in the thirty-six Eastern States amounted to $464,683,100, the highest recorded figure fo any November and 23 per cent greater than the figure fo November of last year. In New York and northern Ne Jersey alone the amount so invested rose to $160,629,50

In the light of these figures anyone who maintains th it was necessary to cut $336,000,000 from the tax levy keep business from being hamstrung through lack of capit is seeking to throw dust in people's eyes. The cut may defended on other grounds—that too large surpluses ma for waste and extravagance or that the individual burd of the small taxpayer is thereby reduced. But it cannot truthfully alleged, as both Mr. Coolidge and Mr. Mellon ha said, that it is necessary to make these cuts in order to ke business going and earning enough surplus so that ne enterprises may be founded and old ones expanded. L anyone read the list of extra dividends declared in the la few days in Wall Street and he will be convinced.

It must be noted, too, that this cut in taxes is made wit little reference to the budget figures. The President ha asked for appropriations for total expenditures for the fisc year 1926-27 of $3,494,222,308.44. If that budget should b adhered to it would mean a cutting of government expend tures by $124,452,691. As a matter of fact, the budget fo 1925-1926 called for only $3,267,551,000, but extraordinar or unforeseen expenditures will, it is now estimated, comp the government to disburse $3,618,675,000 by July first ne —a little difference of $351,124,000 between the guess a the fulfilment. Contrasting, therefore, the original estima for 1925-1926 and the proposed budget for 1926-1927 of th great administration of economy, it appears that so far fro being a reduction the new budget is actually an increa over the old of $226,671,308.40.

Doubtless the public will continue to believe that M Coolidge is economizing. As a matter of fact, if he real wishes to economize, he could not only keep this year budget at last year's figures but he could reduce it st further. After solemnly assuring the American Legi that no army or navy protects a country from attack, a in the face of the coming disarmament conference, he h allotted an additional $20,000,000 to the navy while cutti the army by $4,124,000. The Veterans' Bureau is to recei $53,000,000 more and the pension roll goes up $8,000,00 These are necessary expenditures and merely the foreru ners of still vaster ones to come. Others are waste.

The thoroughly uncivilized character of the budget, well as the cost of wars, past and future, appears from t figures accompanying the budget compiled by the Budg Bureau itself. From this it appears that the general fun tions of government receive only 3.35 cents out of eve dollar spent by the government, whereas 16.32 cents go the national defense and 16.55 cents go to military pensio retirement pay, and other expenditures growing out of pa wars. Only 5.60 cents is spent upon public works and 7. cents on other civil functions. For our costly mercant fleet we spend 1.88, for public debt retirement from ord nary receipts we spend 14.76, and for the interest on o public debts 22.75 cents. The government thus admits th out of every dollar 70.38 cents goes to wars past a present.

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France's Danger

I O the many persons in this country who rightly look upon France as the leader of Latin civilization, and center from which during most of the modern era intelgence, liberty, and sanity have been diffused into the 'orld, the present plight of the republic is distressing. 'hen Louis Loucheur became Minister of Finance our)urnals were sure that he would find a way out of the wamp of debt. Now they have forgotten those rosy preictions but are equally sure of Paul Doumer, the new nancial head, and are acclaiming the proposal of the inustrialists of northern France to mortgage their properies in return for an American loan of 10,000,000,000 rancs. That and a proposal to lease the government toacco monopoly to American interests are the only finanial suggestions of any importance which the Doumer inistry has brought forth.

Both suggestions are inadequate financially and danerous politically. Ten billion francs sounds like considrable money but it is a trifle beside the 300,000,000,000 rancs which France owes or even the 75,000,000,000 francs)f this amount which is in short-term securities and is ausing most of the immediate embarrassment. Even if uch a loan were larger, it could afford only temporary espite financially while it would certainly put the control f the government into the hands of the business men who :uaranteed the money, with added pressure from the Ameri-an bankers who supplied the cash. Sale of the tobacco ionopoly would be equally objectionable. It might net ome actual cash over and above what the government is ow making but it would put a big national resource and undreds of employees under direct foreign control. We epeat what we have said before that France's only hope f solvency is to raise money *within*—probably through ome form of a levy on capital. To seek loans in America s merely to inflate further her gigantic debt, to put her ead in the noose of Wall Street, to pave the way for an-:her Dawes Plan.

And while successive ministries temporize with the nancial situation the political dangers to republicanism ıcrease. The very fact that the proposal of the northern ıdustrial interests was discussed seriously in France—alough it seems now to be discredited—shows how susceple the country is to plans which would subordinate Paraament to a super-government by a special clique. In ·der to make way for fascism it is first necessary to dis·edit representative government with the public, and a ımpaign in this direction is already on. An influential ·ction of the Paris press is bitterly assailing Parliament, ;pecially the Chamber of Deputies—the democratic branch. he Paris correspondent of the New York *Times* echoes ıis when he refers in a dispatch printed on December 19) "that national menagerie known as the French Cham-er," and he suggests how painlessly a coup d'etat might e effected when he continues calmly: "However, if the orse comes to the worst, President Doumergue is a genman who would dissolve the Chamber, with the consent the Senate, which, if he and Briand and Poincaré deded was best, could undoubtedly be had." Once dissolved, ıe Chamber could be kept so by the simple expedient of ontinually postponing a new election.

France is indeed in danger.

Mass Opinion at Work

WE are witnessing an extraordinarily interesting spectacle in the massing of public opinion at Washington on behalf of American entry into the World Court. Hordes of women have descended upon the galleries of the Senate and are listening with intense eagerness to the debates upon this proposal. They are Democratic women and Republican women and independent women. Some have come of their own initiative, but the bulk of them are there as representatives of organizations committed to our joining the Court. In the main this demonstration is the result of most intensive public propaganda by societies such as the American Foundation of Mr. Bok and various other organizations for putting us into the League of Nations as well as the World Court. The outcome is going to throw a good deal of light upon whether we are going to be ruled henceforth by skilfully organized and directed intellectual groups fired by enthusiasm for a given cause, as prohibition was finally made the law of the land by the dragooning of legislators by enthusiasts for that cause.

Let us say at once that we have heard nothing to make us believe what some Senators seem to suspect—that there has been improper use of money. So far as we are aware the proponents and opponents of this legislation are entirely within their historic rights. There have been many similar efforts to try to influence Congress; the unusual thing about this one is the widespread character of the movement and the great advance in the technique of the campaign as a result no doubt of our experience in the art of nation-wide propaganda during the World War. The fire directed upon Congress now does not, of course, come only from women but from endless church organizations, from colleges, from societies of every kind and description. If the Senators had to take their cues simply by estimating superficially where the larger battalions stand, they would vote unanimously for the World Court. They are, however, experts in mass propaganda on a smaller scale by which they are constantly beset, and those who went through the successful fight to defeat our entry into the League of Nations are not likely to be stampeded by the tremendous demonstrations of hostile public opinion which they are daily encountering. Those Senators who are of the belief that their guide is their conscience, and that they are not in Washington merely to register what they conceive to be the wishes of all or a part of their constituents, will not be swayed by any demonstrations from the galleries or by the thousands of letters and telegrams which are pouring in upon them.

Senator Borah, for instance, cannot be won by any such mass attack nor by any presidential threatening or use of patronage. In his brilliant essay on Mr. Borah in the current *Foreign Affairs Quarterly* Walter Lippmann attributes his independence among other causes to the smallness of the home constituency the Senator from Idaho has to listen to. If it were a much larger one it would make no difference in this case. He will get the Court with the reservations he desires or vote against it if it costs him his seat. That is the position a legislator should always take, though very few take it. If communities desire to be represented by men who do as they are told and yield to more or less public pressure, they should pick such a man

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in advance. We have heard many complaints lately from regular Republicans at the appearance of a bloc system in Congress, but, granting their arguments, government by the crowd in the galleries or by telegrams and letters is something far worse. Of course constituents have the right to let their representatives know how they feel on any question, but to compel them to vote against their consciences or their beliefs is to substitute mass or mob rule for representative government.

The present situation seems to us to illustrate beyond dispute the need of a nation-wide referendum such as the Democratic Party called for at its last convention on the issue of our entering the League. It will be remembered that Newton D. Baker, prince of casuists, at once made an eloquent plea against the proposal, declaring that it would be unconstitutional and that no machinery for taking it existed. That opinion came with sorry humor from one of the men who succeeded in creating overnight a machinery to take a census of the young Americans they desired to select for death in a needless and useless foreign war, but if it is true let us proceed at once to find a way to let the people speak their minds on vital issues.

There are three great issues before us now upon which the people ought to speak: the World Court, the League of Nations, and prohibition. In the case of the World Court we are not at all clear that the bulk of the people want it. The privileged classes in the East appear to, but we are not so certain about others. Hence we should like to see the energy that is now sending telegrams, letters, and delegations to Washington put into creating a machinery by which we can find out what the people think.

Rare Jane Austen

JUST a century and a half ago, in a small village rectory in Hampshire, a little girl was born, the youngest in a family of seven children. Five brothers and a sister had preceded her; they with a few neighbors were to make up most of her acquaintance during the forty-two years of her life; she traveled little, never leaving England, never, indeed, going further from Steventon where she was born than to Bath, to London, to Southampton, and finally to Winchester. If ever a life was lived quietly and unobtrusively, it was hers; she never married; it is not known that she ever had a lover; she occupied herself with a little sewing, a little dancing, a little household management. Except for one trick of fate, she differed not a bit from thousands of young women ushered into the world in December, 1775. But that trick was a rather important one; for at the age of twenty-one she happened to write "Pride and Prejudice."

In Winchester Cathedral, where Jane Austen is buried, her devoted family had laid a black marble stone on which they paid tribute to the piety, the unselfishness, the kindness, the charity and faith of their distinguished relative. These are qualities that none would wish now to deny her; but in the family grief at her untimely death they were probably stressed a little unduly and tended to crowd out certain other qualities not less important. If her novels tell little of her character, her letters reveal far more. At twenty she could write to her sister Cassandra:

> I danced twice with Warren last night, and once with Mr. Charles Watkins, and, to my inexpressible astonishment, I entirely escaped John Lyford. . . . You scold me so much in the nice long letter which I have this moment received from you that I am almost afraid to tell you how my Irish friend and I behaved. Imagine to yourself everything most profligate and shocking in the way of dancing and sitting down together. . . . I look forward with great impatience to it [the ball] as I rather expect to receive an offer from my friend in the course of the evening. I shall refuse him, however, unless he promises to give away his white coat. . . . Tell Mary that I make over Mr. Heartley and all his estate to her for her sole use and benefit in future, and not only him but all my other admirers into the bargain wherever she can find them, even the kiss which C. Powlett wanted to give me, as I mean to confine myself in future to Mr. Tom Lefroy, for whom I don't care sixpence.

This sort of high-spirited nonsense filled her letter balls—the simplest country dances, one gathers—afternoo calls, walks, and gossip brought it forth; to praise s responded lightly: "I am very much flattered by your co mendation of my last letter, for I wrote only for fame, a without any view to pecuniary emolument." The knowled of human nature expressed in her novels is anticipat when she remarks: "Mr. Richard Harvey is going to be ma ried; but as it is a great secret, and only known to half t neighborhood, you must not mention it."

It is recorded that the novels were written on a litt writing-desk that their author could balance easily on h knee, and that the advent of callers or the necessity of pe forming any unimportant task temporarily suspended th production of literature. It is not surprising, therefore, find the following casual mention of "Pride and Prejudice under its earlier title: "I do not wonder at your wanti to read 'First Impressions' again, so seldom as you ha gone through it, and that so long ago. I am much oblig to you for meaning to leave my old petticoat behind yo I have long secretly wished it might be done, but had n courage to make the request."

Even later, when the balls were long since over, Mi Austen was not without a certain caustic observation her neighbors and a lively interest in what might be co sidered by some as trivial matters:

> I shall not tell you anything more of Wm. Digweed's china, as your silence on the subject makes you unworthy of it. Mrs. H. Digweed looks forward with great satisfaction to our being her neighbors. I would have her enjoy the idea to the utmost, as I suspect there will not be much in the reality. . . . Miss Hook is a well-behaved, genteelish woman; Mrs. Drew well-behaved, without being at all genteel. Mr. Wynne seems a chatty and rather familiar young man. . . . [I] mean to wear out my spotted muslin before I go. You will exclaim at this, but mine really has signs of feebleness, which, with a little care, may come to something. . . . You used me scandalously by not mentioning Edward Cooper's sermons. I tell you everything and it is unknown the mysteries you conceal from me.

So the letters ramble on. From the first, written 1796, to the last in 1816 they are witty, gay, sharp, occupi with trifles that their writer's neatness and sly commen enliven, letters that must have been a delight to recei and a challenge to answer. It is indicated more than on that Cassandra's replies were worthy of them, but that lad in giving her sister's epistles to a niece shortly before h own death in 1845, took care to destroy not only her ov letters but every scrap of Jane's which she considered t personal for possible later publication. What remains giv an acceptably rounded picture of the younger Miss Aust —one that her biographers have often forgotten.

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Ten Senators on the World Court

[*In the issues of December 2, 9, and 16* The Nation *published a series of articles by James N. Rosenberg on the question of American participation in the World Court, and on December 23 a reply by Manley Hudson. In order to round out the discussion,* The Nation *addressed to every member of the Senate Foreign Relations Committee a letter inviting a statement of views based on Mr. Rosenberg's series. In this letter the problem was outlined as follows:*

We believe that a World Court cannot be an agency for peace if it is backed by power. We believe that Articles 13 and 16 of the Covenant of the League of Nations give serious room for the claim that the decisions of the World Court as now constituted are capable of enforcement through the exercise of power by the League; we believe therefore that if the United States enters the World Court such entry should be conditioned upon a reservation making it clear beyond the remotest possibility of doubt that the efficacy of the decisions of the Court rests solely upon the sense of international honor and obligation of the litigant sovereign nations and not on military force or economic pressure.

We publish below the replies of ten members of the committee which show plainly the wide variety of views which the proposal for American participation must face in the Senate. The unqualified support of Senator Walsh, the clear-cut opposition of Senator Shipstead, and all the possible modifications of each are expressed in this symposium. The Nation *plans to continue its discussion of the relation of the United States to the World Court with a series of three articles by William Hard, to be followed by a reply from Walter Lippmann.*—EDITOR THE NATION.]

I entertain no doubt that, under Articles 12, 13, and 16, and especially in view of the amendments to the same now pending and partially ratified, the League of Nations claims the right and will have the power to use force in the enforcement of the decisions of the Court, including the advisory opinions. I am utterly opposed to the use of force or of economic sanctions in the enforcement of the decrees of an international court.

WILLIAM E. BORAH

I note your view that an additional reservation should be attached to the resolution of ratification. I cannot agree with you. It seems to me wholly unnecessary to attach any such condition as that suggested by you. It is plain as a pikestaff that the statute itself—and that is all that concerns us, for it is all to which we become a signatory—makes no provision whatever for the enforcement of the judgments of the Court either by peaceful or by warlike means. That a nation which belongs to the League may find itself in some embarrassment by virtue of certain provisions of the Covenant should a decision of the Court go against it may be true. That situation can be met only by modification of the Covenant of the League, and we certainly ought not to attempt to procure an amendment of the Covenant or make our adherence to the Protocol dependent upon the making of such amendment. Moreover, as you must know, there is not a chance that the Covenant can be amended so as to remove from it the so-called "sanctions."

Your proposition really, then, is, as I view it, that we do not go into the Court at all since you attach a condition that is known in advance will not be met.

T. J. WALSH

I am not in favor of such a reservation as you suggest, or as suggested by Mr. Rosenberg in his articles in *The Nation.* There is not a word in the Court statute upon the subject of sanctions, either expressed or implied, and so far as that statute is concerned enforcement rests wholly upon public opinion.

The League of Nations is a treaty or agreement between a large group of nations, and if they choose to agree to enforce the judgments of this or any other court by sanctions, it is none of our affair. Our reservations have nothing whatever to do with the League of Nations, and we do not propose to deal with it in any form. The suggestion really is that we make a reservation against the Covenant of the League of Nations, which is not before us in any way. Any two or more nations may hereafter agree, if they choose, to enforce the decisions of the Court, without in any way violating any duty they might have internationally to the United States.

I. L. LENROOT

I have considered Mr. Rosenberg's most interesting articles on the Permanent Court. It seems to me that there may well be a distinction between the situation of the United States, when we shall have adhered to the Court, and that of adhering states which are League members. I can see the possibility of an inference of obligation on the part of member states to enforce obedience to a decree of the Court. This obligation, if it exists, would grow out of the Covenant of the League. It is not clear to me on what basis one could rest a contention that the United States would be so bound, for we have not subscribed the Covenant. If we are not bound, there is no liability which by reservation we should disclaim.

My own view has always been that a severance of Court from League is desirable in the interest of the former. I have become satisfied, however, that the only issue which the public can understand is the simple issue of adherence or non-adherence. On this issue I am for adherence, because I believe that the safety of the United States is in no sense involved and that, if severance is as important as I believe it to be, it can be effected by future pressure.

GEORGE WHARTON PEPPER

I agree with you that Articles 13 and 16 of the Covenant of the League of Nations do give serious room for the claim that the decisions of the World Court as now constituted are capable of enforcement through the exercise of force under the auspices of the League.

Except for the fact that this force is to be exercised under the auspices of the League I would find no special fault with this situation; because my concept of a World Court is one with compulsory jurisdiction, codified law, and adequate sanctions.

GEORGE H. MOSES

In view of the fact that I am a member of the Foreign Relations Committee and in a few days the Senate will open discussion which will undoubtedly encompass every phase of the World Court participation, I prefer to withhold for the present any final comment.

Generally speaking, on the question you raise, I have always felt the reservation suggested by Mr. Hughes to the effect that our entry into the Court would not compel our assumption of *any* obligation under the Covenant of the League of Nations was sufficiently broad to cover any reasonable contingency.

WALTER E. EDGE

My attitude on the question of enforcing the decisions of the World Court was expressed in my resolution submitted to the Senate on March 5, 1925, containing these paragraphs:

Resolved, That the Senate advise and consent to the adhesion on the part of the United States to the said pro-

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tocol of December 16, 1920, and the adjoined statute for the Permanent Court of International Justice (without accepting or agreeing to the optional clause for compulsory jurisdiction contained in said statute) and that the signature of the United States be affixed to the said Protocol; subject to the following reservations and understandings which are hereby made a part and condition of this resolution, namely:

1. That such adhesion shall not be taken to involve any legal relation on the part of the United States to the League of Nations or the assumption of any obligations by the United States under the Covenant of the League of Nations constituting Part I of the Treaty of Versailles.

2. That the United States will participate through representatives designated for the purpose and upon an equality with the other states, members respectively of the Council and Assembly of the League of Nations, in any and all proceedings of either the Council or the Assembly for the election of judges or deputy judges of the Permanent Court of International Justice, or for the filling of vacancies.

3. That the United States will pay a fair share of the expenses of the Court as determined and appropriated from time to time by the Congress of the United States.

4. That the statute for the Permanent Court of International Justice adjoined to the protocol shall not be amended without the consent of the United States.

5. That the United States shall not be bound by advisory opinions which may be rendered by the Court upon questions which the United States has not voluntarily submitted for its judgment.

The signature of the United States to the said Protocol shall not be affixed until the Powers signatory to such protocol shall have indicated, through an exchange of notes, their acceptance of the foregoing reservations and understandings as a part and a condition of adhesion by the United States to the said protocol.

FRANK B. WILLIS

I have your letter regarding the World Court and I agree with you. I shall vote for the pending resolution, provided reservations are attached which will make it clear beyond doubt that the decisions of the Court are to be free from compulsion.

GEORGE P. MCLEAN

Property acquired by war is, under international law, held to be legally acquired. The business of the Court is to decide that loot acquired as a result of the last war has been legally acquired. Such a decision may be legal according to international law, but in view of the terms of the armistice such a decision by the Court cannot be one based upon justice. Therefore it seems to me that the Court is misnamed when it is called a court of justice.

To carry out the provisions of the Treaty of Versailles the League of Nations system is a very carefully planned program for making war. It is assumed, I take it, that such wars will be "just" wars, wars to uphold the "sanctity of treaties," and wars to "save democracy." Such wars under this program will be "legal" wars backed by the Court and the League.

Paragraph 1, Article 12, of the Covenant of the League of Nations reads as follows:

> The members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to *resort to war until three months after the award by the arbitrators or the report by the Council.* (Italics mine.)

Here is a legalized method of going to war. The only reservation is there shall be no actual act of war until three months after the decision of the Court or report of the Council.

Paragraph 1, Article 13, of the Covenant of the League of Nations states:

> The members of the League agree that, whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration.

Article 16 of the Covenant of the League provides:

> Should any member of the League resort to war in disregard of its covenants under Article 12, 13, or 15, it shall ipso facto be deemed to have committed an act of war against all other members of the League.
>
> It shall be the duty of the Council in such case to recommend to the several governments concerned what *effective military, naval, or air force the members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.* (Italics mine.)

Here we have the sanctions for war to enforce settlement c controversies within the League. How does the Covenant pr pose to make war upon non-member nations who refuse to u and obey the machinery of the League? That we learn by rea ing Article 17 of the Covenant of the League of Nations:

> In the event of a dispute between a member of the League and a state which is not a member of the League, or between states not members of the League, the state or states not members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted the provisions of Articles 12 to 16, inclusive, shall be applied with such modifications as may be deemed necessary by the Council.
>
> If a state so invited shall refuse to accept the obligations of membership in the League for the purposes of such dispute, and shall resort to war against a member of the League, the provisions of Article 16 shall be applicable as against the state taking such action.

The power to enforce the decisions of the Court by war therefore vested in the League of Nations by the treaty call the Covenant.

Thus we have a clear program for inaugurating all kinds "legal" wars, on the assumption that the wars under this a rangement will be "legal" and under the further assumptic that wars in the past have been "illegal." How many gover ments in the history of the world have started "illegal wars' All of the governments that have started "illegal wars" plea say "Aye"! Silence. All governments which have started "leg wars" only please say "Aye"! All governments of history chorus shout "Aye"!

HENRIK SHIPSTEAD

I favor the adherence of the United States to the Wor Court with the reservations advocated by Presidents Hardi and Coolidge and former Secretary of State Hughes. It seen to me that those reservations are sufficient to guarantee us e tire freedom from the League of Nations, while at the san time permitting us to lend our tremendous influence toward t adjudication of questions involving world peace and comi before the Court.

The first of these reservations states that our entry into t Court "shall not be taken to involve *any* legal relation to t League of Nations, or the assumption of *any* obligations by t United States under the Covenant of the League of Nations

It is perfectly plain to me that under these reservations would not be obliged to employ force in enforcing the decisio of the Court. And since we recognize no authority of t League so far as our nation is concerned, I do not see that should fear the use of force against us by the League Nations after joining the World Court any more than we shou fear it now when we have no connection with the Court.

My feeling is that our nation should not refuse to lend i great prestige and whole-hearted support to the advancement what seems to be a sincere effort on the part of the nations the world to set up a tribunal for the peaceful adjudication international questions; and it seems to me that we can do under the reservations proposed with entire safety to our ov national welfare.

ARTHUR CAPPER

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Whitewashing the Air-Grafters

By H. L. SCAIFE

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FAILURE of the Lampert House committee and the Morrow aircraft board to consider malversation and charges of the existence of an aircraft monopoly leaves the findings of the Thomas Senate committee, filed August 2, 1918,[1] as the last and only expression of an official investigation that has undertaken to hear testimony in support of charges of the existence of an air trust.

Neither the Lampert committee nor the Morrow board considered available evidence which in a measure would have accounted for the difference between what was legitimately spent and the results accomplished, and their reports very closely concur in recommendations favorable to a perpetuation of an aircraft monopoly and further enormous expenditures before the demoralizing conditions depicted in both reports are cleaned up. The findings of these committees, published almost simultaneously, raise controversial issues of minor importance that are apt to distract attention from the fundamental questions emphasized in these articles:

1. Who got the money?
2. What has been done with those who got the money?
3. What is going to be done with those who let the guilty escape?

The Morrow board filed its report on December 2, the report of the Lampert committee being made on December 5, nineteen months after that committee had been directed by the House of Representatives[2] to conduct an investigation which should have answered these questions, instead of going far afield into phases of the aircraft subject which were not within the scope of the contemplated inquiry.

The indifference of the Lampert committee to the serious business it had in hand is shown by the fact that it did not begin its formal hearings until nine months after it had been appointed. The record shows that visits of the committee to air-service plants were postponed last summer, "because of intensely hot weather"[3] and that

> It was deemed impractical to bring the committee together during the recess because of the exigencies of the fall campaign, as the members were so busy with matters of immediate importance to them.

The findings of the Lampert committee report that the total expenditures for the Army and Navy Air Services for the five years, 1920 to 1924 inclusive, were $424,234,-997.90[5]; that "the use of airplanes designed and built in the year 1918 and earlier constitutes a very large proportion of the machines used in the army and navy"; and the committee concurs in the findings of the Lassiter board, made in 1923, as "a fair basis for the present study of our administrative methods" and that "its findings as to the conditions of our air service are substantially true today."[6]

The report of the Lassiter board, as quoted by the Lampert committee, states:

> After an exhaustive study of the situation the committee reports that an alarming condition in the Air Service exists, due to shortage of flying personnel and equipment, which, if allowed to continue, will very soon cause this important combatant arm to reach a condition which will cause it to be negligible as being any national defense.

Without accounting for the disappearance of such enormous amounts of money without tangible results, the Lampert report recommends, in addition to the usual appropriations, the expenditure of not less than $100,000,000 in a five-year program for "the procurement of new flying equipment, constructed by the civilian industry."[7] The committee reports that it has found no corruption, that an aircraft conspiracy does not exist, that the legality of the Manufacturers' Aircraft Association and the cross-license agreement should now be accepted as "conclusive," and that the "save-harmless" clause in all air contracts is basically sound.[8] The committee recommends that "the Federal Government cease competing with the civilian aircraft industry in the construction of aircraft, engines, and accessories"; and that "the industry be assisted in the procurement of non-commercial supplies, either through the Government as debits on procurement contracts or the grouping of purchases within the industry."[9]

Members of the Manufacturers' Aircraft Association who are the main beneficiaries of government aircraft contracts may be accepted as synonymous with the "industry." Concerning the alleged impoverished conditions of the "industry" the Lampert committee quotes ex-Secretary of War, Mr. Weeks, as saying the contractors are "hanging on by their eyelids."[10] The Lampert committee reports:[11]

> In fact, there is general agreement from all of the witnesses, whether from the Government, the industry, or outside, that the aircraft industry, instead of fattening on government contracts, is being steadily starved to death.

Stated briefly, the Lampert committee recommends all the things that are necessary to continue placing aircraft contracts in the hands of men who wrecked the Government's aviation program during the war and have repeated the offense since the war; and the committee has failed to force an accounting.

Two of the most obnoxious features of aircraft contracts to independent manufacturers and inventors are the cross-license agreement and the "save-harmless" clause, around which the Manufacturers' Aircraft Association, organized on July 17, 1917, has been able to make effective its alleged monopoly of aircraft contracts. In connection with the cross-license agreement a form of license was adopted for those desiring or compelled to be associated with it, the scheme resulting in a surrender of patents to the association on terms prescribed by that association. The "save-harmless" clause inserted in these government contracts protects the members of the Manufacturers' Air-

[1] *Congressional Record*, Aug. 22, 1918, p. 9333; *The Nation*, Dec. 9, 1925, 644.
[2] *The Nation*, Dec. 16, 1925, p. 698.
[3] Lampert hearings, p. 92.
[4] *Ibid.*
[5] Lampert report, p. 3.
[6] *Ibid.*, pp. 4-5.
[7] *Ibid.*, p. 9.
[8] Lampert report, p. 2.
[9] *Ibid.*, pp. 8-9.
[10] *Ibid.*, p. 10.
[11] *Ibid.*

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craft Association in the use of patents of those who refuse to accept the conditions of participation in contracts prescribed by the alleged monopoly. By this clause the Government agrees that in case the contractor infringes patents that do not belong to the contractor, the United States will hold the contractor harmless, with the result that the only recourse of the unfortunate inventor, deprived of remedy by injunction, is in the tedious and expensive process of establishing his rights in the Court of Claims, where he finds to oppose him the legal machinery of the Government, backed by the resources of the United States, in litigation that may last for years. A definite instance as to how the "save-harmless" clause is used as a club over the inventor, even if in despair he offers to give his patent rights to the Government, is shown in the official records.[12] As long as their products can be sold and patents can be infringed with impunity, where is the financial need of the air trust to encourage invention?

It will thus be seen why the Thomas Senate committee predicted seven years ago that the cross-license agreement would lead to the discouragement of invention and the inevitable control of the aircraft industry by the Manufacturers' Aircraft Association or by some other interest through its agency. There has been no change in the operation of the cross-license agreement since it was condemned by the Thomas Senate committee, except that the Thomas Senate committee was informed that it was no longer used, when in fact it has never been abrogated and occurs in aircraft contracts today.[13] The story of how the cross-license agreement originated, the names of those responsible, and the alleged deception through which Attorney General Gregory rendered a tentative opinion under the stress of war, countenancing the Manufacturers' Association and the cross-license agreement, was exposed on the floor of the House of Representatives on February 23, 1924.[14]

As to the opinion of former Attorney General Gregory, which the Lampert committee cites in justification of the Manufacturers' Aircraft Association and the cross-license agreement, the chairman of the Thomas Senate committee declared on the floor of the United States Senate seven years ago:[15]

> . . . I am satisfied in my own mind, at least, that but for the emergency, but for the necessity of airplanes, and airplanes as soon as possible, this contract never would have passed the approving scrutiny of the Department of Justice.

In an exhaustive analysis[16] Senator Thomas declared that this opinion of the Attorney General "seems to damn this contract with very faint praise indeed" and, in the closing of his remarks, the chairman of the Senate committee declared:[17]

> It looks like profiteering without any limitation, and I fear that much of the difficulties and disappointments which the nation has encountered in attempting to carry out its aircraft program is due to the fact that all these conditions bestride the industry like a colossus.

Audits of aircraft contracts showing enormous overpayments to contractors and the failure of the Department of Justice to institute civil and criminal action were exposed on the floors of Congress in 1922,[18] resulting with other disclosures in the establishment of the War Transactions Section in the Department of Justice, for which Congress has made appropriations totaling $2,700,000.[19]

If the findings of the Lampert committee are correct in the clean bill of health they gave to our aircraft contractors, then why have the members of that committee permitted without protests such appropriations for the civil and criminal prosecution of these war-fraud cases?

Among the specific charges for investigation placed in the record of the House of Representatives when the Lampert committee was appointed was a chain of documentary evidence offered to show how the prosecution of the case of the Wright Martin Aircraft Corporation was blocked after full hearings in the War Department covering a period of two years and after the case had been placed in the hands of the Department of Justice on October 26, 1922, with the request that litigation be instituted to protect the interests of the United States and that "only a court which possessed full powers to render a final decision and enforce it can satisfactorily cope with such a situation."[20]

The official records[21] show that on June 16, 1921, Charles Hayden, an official of the Wright Martin Aircraft Corporation, wrote a letter to the then Secretary of War, Mr. Weeks, containing the following reference to this case:

> Ordinarily I would hate to bring these matters to your personal attention, but the way the general situation has been developing in the last six months, it seems to me that everything that can be done by cooperation between bankers and the Government to inspire confidence in a legitimate way should be done, and that is why I feel a perfectly clear conscience in giving you this little additional bother.

On June 22, 1921, Hon. John W. Weeks, then Secretary of War, replied to this letter of Charles Hayden and among other things stated:

> Whatever decision may be reached by the Air Service section, you should understand, is not conclusive. Not only is the approval of a higher officer required, and even if that approval is obtained, there is a further appeal to myself. . . .

Again, on November 23, 1921, two days after Secretary Weeks had been informed by a memorandum from the Assistant Secretary of War[22] that "in view of this state of affairs the case has passed beyond the control and jurisdiction of the War Department,"[23] Secretary Weeks among other things wrote to Charles Hayden as follows:[24]

> I have not thought of the case in which you are interested since I wrote you last June, assuming that it was proceeding satisfactorily. I will see Mr. Hoyt[25] some day next week if he will call my secretary and make an appointment. In the meantime I have requested that no further immediate action be taken by the Department of Justice until I have had a talk with Mr. Hoyt.

On January 21, 1922, Guy D. Goff, then assistant to the Attorney General, wrote the following to the attorneys for the Wright Martin Aircraft Corporation:[26]

> After thorough consideration I have to inform you that in the opinion of the Attorney General the case is one in

[12] *Congressional Record*, Jan. 29, 1924, p. 1631.
[13] *Ibid.*, p. 1630.
[14] Pp. 3022-3028.
[15] *Congressional Record*, Feb. 23, 1924, p. 3027; *ibid.*, May 9, 1918, p. 6237.
[16] *Ibid.*, Feb. 23, 1924, pp. 3024-3028; *ibid.*, May 9, 1918, pp. 6235-6245.
[17] *Ibid.*, Feb. 23, 1924, p. 3028; *ibid.*, May 9, 1918, p. 6238.
[18] *Ibid.*, April 11, 1922, pp. 5290-5294.
[19] Annual Report of the Attorney General (1925), p. 96.
[20] *Congressional Record*, June 29, 1924, p. 1629.
[21] *Ibid.*
[22] *Ibid.*; for text of memorandum in full, see *Congressional Record*, April 11, 1922, pp. 5290-5291, 5292.
[23] *Ibid.*
[24] *Congressional Record*, Jan. 29, 1924, p. 1629.
[25] Mr. Hoyt was president of the Wright Martin Aircraft Corporation.
[26] *Congressional Record*, Jan. 29, 1924, p. 1629.

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which it is necessary to institute litigation to protect the interest of the Government.

The case was withdrawn from the hands of the United States attorney who had been instructed to proceed more than four years ago[27] and, notwithstanding the appropriations made by Congress for the prosecution of such cases, the case of the Wright Martin Aircraft Corporation and many others in which malversation was charged were not investigated by the Lampert committee or the Morrow board. In the face of such records which had been briefed and made available to these investigating committees before they began their work,[28] Congress and the public must now consider with serious concern how the Lampert committee, without an investigation in the premises, could even ignorantly report[29] that

> The most searching investigation on the part of the committee discloses not the slightest ground for the charge that the Air Service procedure is corrupt.

In the unanimous report of the Morrow board, each of the nine members has placed himself on record as having been furnished the printed record of the testimony taken by the Lampert committee and of having the opportunity of examining the testimony taken in the various other hearings before congressional committees. The Morrow committee was, thus, aware that there were fifty-three witnesses[30] uncalled whose names had been furnished as having information in regard to the alleged air trust.

In placing the war-time production at more than 16,000 airplanes, the Morrow board has failed to realize that such statistics include penguins that could not fly and production that went to the junk pile. Similarly misleading information given to the public was among the grounds urged by Charles E. Hughes in recommending that E. A. Deeds be called to answer before a court martial.[31] The testimony of General Pershing and others long ago established the fact that at the time of the armistice *not a single American-made fighting plane had reached France and that only 196 De Haviland 4-s, which could not be used in pursuit, were at the battle-front.*[32]

In the praise by the Morrow board of the "flaming coffins," produced during the war and still in use after being reconditioned, the report states:

> While the charge has been made in the public press that fliers have been compelled to fly in unsafe machines, no evidence of any such case has been submitted to us.

If aircraft depreciates as fast as is claimed when new appropriations are being sought from Congress, such of these De Haviland machines as are still in use are less safe now than they were six years ago when Eddie Rickenbacker, America's leading ace, declared:[33]

> From every side Fokkers were piquing upon the clumsy Liberty machines, which, with their criminally constructed fuel tanks, offered so easy a target to the incendiary bullets of the enemy that their unfortunate pilots called this boasted achievement of our Aviation Department their "flaming coffins." During that one brief flight over Grande Pré I saw three of these crude machines go down in flames, an American pilot and an American gunner in each "flaming coffin," dying this frightful and needless death. . . .
>
> . . . Many a gallant life was lost to American aviation during those early months of 1918, the responsibility for which must lie heavily upon some guilty conscience.

Of the seven recommendations of the Morrow board to regulate the aircraft industry, which might be worthy of consideration if government contracts were freed of monopolistic tendencies, five under present conditions carry on their face the sign of the dollar; they look to a recognition of the aircraft monopoly to the exclusion of independent manufacturers and inventors. In these recommendations, it must be considered that under present conditions the Manufacturers' Aircraft Association and the aircraft industry are practically synonymous terms, and particular attention needs to be paid to the words that are here italicized:

> 1. The adoption of *a policy of continuity in orders* . . .
>
> 2. Production orders be given *only to companies* which maintain design staffs of reasonable size and keep them active. . . .
>
> 4. Government *competition with the civil industry* in production activity *to be eliminated* except in those projects *impracticable of realization by the civil industry.*
>
> 5. During a period of production of a type accepted as a standard there be placed a succession of small orders for *experimental* designs to be given limited service tests, the best of these designs produced during a two or three year period being adopted as the next standard. Such orders, *distributed among firms having design and production staffs of proved competence,* should be awarded *at a liberal price,* high enough to cover all of the overhead expense involved in the upkeep of the design and experimental departments.
>
> 6. *Existing statutes* covering the procurement of supplies and *requiring competitive bidding be modified* where necessary to allow putting the recommendations previously made into effect.

The members of the alleged air trust have built up their plants and organizations through the aid of government finance to the exclusion of the pioneer manufacturers. These recommendations of the Morrow board will tend to make it impossible for an independent manufacturer to qualify for government work, a condition which already exists and which the Morrow report seeks to have legalized.

The constructive recommendations in the reports of the Lampert committee and the Morrow board need not be considered until the wreckage is swept away and a firm foundation is presented on which to build. The old propaganda to forget the past has been effective, but there is no line of demarkation between the past and the present, or where the debacle started and where it will end.

The suppression of truth in a government inquiry, an obstruction of justice, or a failure to perform a public duty by any official or employee on the pay roll of the United States comes under the general conspiracy statute[34] if two or more persons enter into an agreement that would defraud the United States in any manner or for any purpose.

In 1910 the Supreme Court of the United States made the following statement in its opinion in confirming an indictment charging a conspiracy to give to the public an incorrect official report:[35]

> As the Government evidently intended to supply the

[27] *Ibid.*; Hearings Judiciary Committee purs. H. Res. 425, 6th Congress, 3rd and 4th sessions, pp. 425, 426, 427, 428, 435, 436; Hearings purs. S. Res. 157, 68th Congress, 1st session, pp. 881-891.
[28] *Congressional Record*, Jan. 29, 1924, p. 1629.
[29] Lampert report, p. 10.
[30] Lampert hearings, p. 63.
[31] *Ibid.*, Dec. 30, 1918, pp. 902, 914.
[32] *Ibid.*, May 12, 1921, p. 1353.
[33] *Congressional Record*, May 12, 1921, p. 1354.
[34] The Criminal Code of the United States, Sec. 37.
[35] Haas *vs.* Henkel (1910), 216 U. S. 462.

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public with correct information, its whole purpose would not only be prevented but actually reversed if the department issued incorrect reports. A conspiracy to cause incorrect monthly reports to be published would defraud the United States, because it would change its department from an agency to enlighten the public into an agency to mislead it. It would be as if wreckers, in combination with persons connected with the location of channel buoys or with lighthouses, were to combine to move the buoys or extinguish the lights.

America and Mosul

By LOUIS FISCHER

[*On December 15 the Council of the League of Nations decided by unanimous vote to give Mosul to Iraq, which is under mandate to Great Britain. The economic background of this decision is described in the following article.*]

London, December 1

THE United States is not a member of the League of Nations, nor does the State Department want Mosul as a colony, nor should America be interested in advancing the territorial claims either of Kemal Pasha or King George. Nevertheless it may develop that the voice of Washington and New York, the still small voice whispered behind the scenes, will be decisive in the determination of the Mosul boundary dispute which, not so long ago, almost involved the two contending parties in a war—and may yet.

Observers received the first hint of the diplomatic storm that was brewing from an innocent little announcement made on November 10 at the annual meeting of the Anglo-Persian Oil Company, by Sir Charles Greenway, its president. Sir Charles, in replying to a question, declared that the stocks of the Turkish Petroleum Company, which has a concession from the Bagdad cabinet for the exploitation of all the oil resources of Iraq (including Mosul if the British case should triumph), were held "as to 47½ per cent by the Anglo-Persian Company, as to 22½ per cent by the Royal Dutch Company, as to 25 per cent by the French group, and as to 5 per cent by Mr. Gulbenkian."

That was all. To the uninitiated this means nothing. But it was interesting to watch the London papers. For a day or two they were either napping or ignorant of the significance of Sir Charles's word. Then the awakening.

The importance of Greenway's statement was the deduction it permitted that the Standard Oil was no longer a participant in the Turkish Petroleum Company. Yet for almost three years the entire world had been under the impression that it owned about 25 per cent of the shares. The Anglo-Persian president had, apparently, simply read the House of Rockefeller out of this international company which held a lease to invaluable petroleum fields. This situation became even more mystifying when the cables brought a denial from Walter C. Teagle, chairman of the board of directors of the Standard Oil Company. Mr. Teagle told the correspondents that his concern had not relinquished its holding in the Turkish Petroleum. Yet Greenway had said that the Standard Oil was not in it, and never had been for that matter. What was the meaning of all this?

Mosul oil has been the object of diplomatic and private capitalistic controversy for almost a quarter of a century. In 1888 the Germans, through the Deutsche Bank, received a concession to build the first section of the Bagdad railway. In 1903 the Porte granted permission to extend the line to Basra, thus imperiling Britain's hold on the Persian Gulf and the Anglo-Persian's oil-fields in south Persia, and threatening to bring Germany dangerously near to India. The next year the concession was made to include all the oil resources which might be discovered on either side of the line. England objected strenuously, and soon brought her friends, France and Russia, to her aid. This entente effectively barred the way to the execution of the German project. Years of diplomatic squabbling and business dickering followed. In the end, in March, 1914, the dispute was settled, as far as oil was concerned, by the organization of the Turkish Petroleum, 50 per cent of the shares of which were to be held by the Anglo-Persian, 25 per cent by the Royal Dutch Shell, and 25 per cent by the Germans. The San Remo oil agreement of April, 1920, gave the German share to a consortium of sixty-seven French companies.

The moment the San Remo pact became public the Standard Oil rose up in arms. Had not the United States contributed to the successful issue of the world conflict? Were not its nationals therefore entitled to a part of the spoils? What right had France and England to divide the petroleum of Iraq, a country conquered by force during the period of hostilities? Washington insisted on the "open door" for American oil trusts.

For eighteen months, from the middle of 1920 to the end of 1921, the battle of notes raged. The United States refused to give its approval to the Mesopotamia and Palestinian mandates which the League of Nations was intending to grant Great Britain unless the "open door" principle was accepted by the mandatory Power, and although America was no member of the League it goes without saying that that body as well as England feared to defy the State Department. The mandates remained unratified. The situation in the Near East grew chaotic; the Arabs were restive, and the Zionists chagrined, while actually war clouds gathered over the Anglo-American horizon. Serious journals fretted over the possibilities of a break. Yet neither Colby nor his successor Hughes on the one hand, nor Lord Curzon of Kedleston on the other, were willing to yield.

The correspondence was long and vitriolic. Curzon did not fail to point out the irregularities of American imperialism in Haiti and Costa Rica, nor did Hughes shrink from accusing the late noble lord and his government of unfair discrimination. Toward the end of 1920 Sir John Cadman, an official of the Anglo-Persian, and war-time Allied petroleum director, was sent across the Atlantic to patch up a peace. But Mr. Teagle rebuffed him at the annual meeting of the American Petroleum Institute, and the mission ended in failure.

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Then there was a windfall. The Persian Government granted the Standard Oil a provisional concession to the north Persian field. This suggested the possibility of a bargain. Sir John Cadman again shipped to New York. After some negotiations the famous "50-50" bargain was arranged by the terms of which the Standard Oil accepted the Anglo-Persian as a partner to its north Persian lease while the Anglo-Persian agreed to share with the Rockefeller Company its stock in the Turkish Petroleum. This little deal put the "finis" to the diplomatic controversy and established good-will between the two oil firms.

And it is this dearly bought, much-fought-over share of the Standard Oil in the Turkish Petroleum which the Anglo-Persian's chairman quite casually, as it were, declares to have reverted to his company, the original owner. But Mr. Teagle challenges him on this point. Now how is it possible for two people to have two opinions on such a very definite thing as the ownership of a very costly block of shares in a company which may some day be worth hundreds of millions of dollars?

The clue to the mystery is the tactics of the Standard Oil of sitting on the fence as long as the future ownership of Mosul remained undecided. Though at Lausanne the Standard Oil acknowledged itself quarter-partner in the Turkish Petroleum Company, and through it agreed during the conference to allow the Anglo-Persian a 10 per cent oil royalty "in return for the halving of its original share of the 50 per cent in the Turkish Petroleum Company, Ltd., in order to admit of the American group's entry on equal terms," nevertheless it opposed and succeeded in preventing the incorporation of the Turkish Petroleum's concession into the Allied treaty with Turkey. The Standard Oil valued its share in the Turkish Petroleum, even showed its gratitude to Anglo-Persian for arranging its entry, but preferred not to take up its shares and not to make the participation too definite or to strengthen the position of the Turkish Petroleum too much. Suppose Mosul didn't go to the British after all.

For the present there is sufficient oil on the world market. And the Standard Oil, which is primarily a seller and not a producer, has an interest in limiting the quantity available for sale. But the Royal Dutch Shell and the Anglo-Persian are producers; moreover England and the empire need petroleum product. Britain desires a better fate than that of remaining dependent on the Standard for her "gas" and liquid fuel. If the British got Mosul, the Turkish Petroleum would immediately commence exploitation in the hope of striking underground reserves of commercial value. If the Standard Oil could in some way get Mosul it would clamp the lid down tight and keep the field in storage for a decade—or until it becomes impossible for the Rockefeller trust to supply its overseas custom, perhaps even its trade in America, with the oil mined in the Western Hemisphere.

In order to permit itself freedom of action, the Standard Oil allowed its participation in the Turkish Petroleum to remain so vague as to enable it to stay should staying suit its purposes, or to surrender the shares should that seem the better part of wisdom. More than that. The Standard Oil wished to eschew any alliance which would prejudice it in the eyes of the Turks. For there are indications that the Standard Oil would prefer to see Mosul under Turkish suzerainty and the Mosul concession its own. Certain it is that well-known British interests, among which is Lord Inverforth of the British Mexican Company, have been encouraging the Turks to resist Downing Street's claim to Mosul, and the "British Mex" is a subsidiary of the Standard. Observers and diplomats who were at Lausanne are convinced that the Mosul question would have been settled there to the satisfaction of the British had it not been for the secret moral support which Ismet Pasha received from the United States political and business quarters. And rumors now persist in the City to the effect that American inspiration is behind Turkish obstinacy.

The situation is not without an element of the comic even when it demonstrates the almost insuperable difficulties which arise when nations attempt to solve real Gordian knots by consent. The Lausanne conference failed to settle the Mosul problem. Two years of futile negotiations followed between Turkey and England which at times seemed to be the preliminaries to war. Then it was put up to the League. The League passed the buck to the World Court. The November decision of the Court passed it right back to Geneva. The Court ruled that the Council resolution must be unanimous and will be binding—if Turkey reads the Lausanne treaty as the Court does. But already the semi-official Angora telegraphic agency declares that the Court verdict "was pronounced under well-known influences" and "is calculated to give a bad impression of the moral value of an organization which is supposed to be an instrument of international peace." It is dollars to doughnuts therefore that the Kemal cabinet will not accept the League award.

Meanwhile rumors that the Angora Government has granted the Standard Oil a concession will not be downed even by denials from the highest authorities. It is generally known, of course, that Standard Oil agents have lately been very active in Anatolia, sometimes under the guise of Inverforth representatives. It should also be remarked that the Standard Oil is paying far more attention to the market in Asiatic Turkey than it deserves, and that it seems prepared to sacrifice many important conquests—in the matter of Soviet oil, for instance—in order to fortify itself in Anatolia even though it is patent that that poor, non-industrial country is hardly worth a small fraction of the effort the American trust is putting into it unless it be as a preparation for an extensive concession. "From the American point of view," writes a special correspondent of the *Manchester Guardian Commercial*, "the turnover [in Turkey] is quite negligible." It is generally deduced, therefore, that the energy of the Americans in Anatolia is actuated by a desire to be ready for any eventuality. What if there were some compromise on Mosul?

Even if the League achieves unanimity, Turkey will, without a doubt, refuse to bow to Geneva's authority. In this she will have the support of Moscow and—politics make strange bedfellows—of American and certain British oil interests. "We are informed," says the *Morning Post*, "that the true facts of the case are that certain American oil interests have made an arrangement with an independent English group, which has been negotiating with the Turkish Government for certain oil concessions in case Mosul should be awarded to the Turks by the League of Nations." For the present, therefore, we must await further developments, not so much in Geneva which can do little to solve the deadlock, unanimous decision or no, but from Angora and London where the British and Turkish governments and the rival oil magnates will match forces.

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Little Bob Wins

By FRANK R. KENT

Washington, December 18

IF anything were needed to show the caliber and character of the solemn gentlemen who lead and manage the Republican Party these days it has certainly been supplied by the handling in the Senate of the Little Bob La Follette case. The climax in that came last week when Little Bob, after having been patted, petted, and fawned on in the most sickening and hypocritical fashion both publicly and privately, ladled out to the Committee on Committees as strong a dose of defiance as could be prepared. In words of one syllable he said in effect that their picayune places meant nothing to him, that he was not their sort of Republican, that he stood on the platform of the Progressives, not on theirs, that he proposed to assert complete independence of them in the Senate and out, that if they persisted in tendering him these committee assignments as a Republican he wanted no misunderstanding as to where he stood. In other words, he kicked the orthodox organization machine vigorously and squarely in the midriff. And the party managers, as represented by the Committee on Committees, submitted to the kick, gulped, choked, swallowed the dose, and let the tender stand.

No wonder the Administration press, which daily dwells upon the wise, firm, and courageous leadership of the godly Calvin, and which not long ago gave columns of space to the resolute words of the intrepid textile king and White House adviser, Senator William M. Butler of Massachusetts, who after he had tried to defeat Little Bob and failed ringingly declared that he would never be recognized as a Republican —no wonder these newspapers passed hurriedly over this business of Little Bob with almost no editorial comment at all. No wonder the "Presidential Spokesman" at the correspondents' conference this week ignored questions touching on this topic. No wonder Republican Senators who had previously told the world that young La Follette would be tossed out on his ear and that they would do the tossing now bitterly say: "Oh, hades, let's forget it." Of course they want to forget it. Who wouldn't? Nothing quite as absurd has happened in Washington in a long while, and no sillier-looking set of men has been seen in the Senate than the Republican Senators to whom the buck in this business was passed. They feel pretty badly over the outcome and no one blames them. They had to take the responsibility for a decision that most of them feel should not have been put up to them and, having decided, they had to go through with it, take young Bob's insults and the caustic criticism of their colleagues besides.

They deserved what they got because of the bumble-puppy way in which they handled the situation if for nothing else, but it is true they did not get quite a fair deal. The decision properly belonged with the titular leader of the party in the White House, and to him the various Senators early went for advice and instructions. They should have known better and next time they will. However, the vigor and flatness with which the brave Butler had spoken on the subject made them certain that Mr. Coolidge would take the same noble stand.

The case against Little Bob was clean cut and quite unanswerable. He stood for everything his father stood for, had committed every party crime of which the Old Man had been guilty and for which he had been banned. His campaign had been an anti-Coolidge campaign and literally he has not a single political idea in common with an orthodox Republican. There seemed but one thing to do—throw him out as they had his father. That had been the Coolidge attitude toward the old Senator. It never occurred to them it would not be the same with the son. But they were wrong.

Instead of a calm, firm, determined Coolidge such as he is pictured by the magazine writers who are invited to dinner at the White House or go down on the Mayflower, they found an indecisive, troubled, querulous Coolidge, from whom no definite word could be got. They found the same sort of Coolidge who for five weeks during the Daugherty investigation wabbled weakly from side to side, pulled one way by Borah, Reed, and Pepper and bluffed the other way by the violence of the Attorney General, whose resignation he finally requested in a letter that gave him a clean bill of health, basing the request on a point so remote from the real issue as to be highly ridiculous.

In this case what plainly happened was that someone had pointed out to Mr. Coolidge that when the next Senate meets in 1927 the Republican majority is bound to be either greatly reduced or wiped out. Everybody concedes that the Republicans are sure to lose certain seats they now hold, and the chances are that the Republican managers will not be able to organize the Senate without La Follette's help. It was conveyed to the President that if La Follette were roughly thrown out now there was a strong possibility that the party managers would have to crawl on their hands and knees to get his help in 1927—and then not get it. He might easily be able to paralyze the Administration in that session. Furthermore, Little Bob comes up as a candidate again in 1928, not 1926. That means he runs with the next candidate for President. At that time it is easy to understand it will be desirable to have him run as a Republican candidate for the Senate, in order to insure the Wisconsin electoral vote being cast for a Republican candidate for President. There was the further fact that the political life of Senator Lenroot, who comes up as a candidate next year, hangs by a slender thread which Little Bob can break—and probably will—if he likes.

When these various aspects of the situation percolated into the White House the firmness about Little Bob, the determination to hang him by the thumbs and then boil him in oil, oozed slowly away. In its place came a great indecision. The plain fact is that from the President down they wanted to kick him out, but they were afraid. He had them buffaloed. He made a holy show of the whole shooting match.

After this exhibition it will take either cast-iron cheek or a complete lack of humor for Republican Senators this session to stand up and prate about party principles, convictions, and courage. Yet some of them will do it. Some of them qualify both ways.

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In the Driftway

ALL is not well in the Highlands. The Drifter hears on the best authority—that of the chief medical officer for Inverness-shire—that the braw highlanders of the Isle of Skye are fast becoming a weak and degenerate race; and the cause is easily stated: they have abandoned their traditional diet of oatmeal for a more effeminate menu of tea, white bread, and jam. The Drifter cannot remember if it was these particular highlanders who were admiringly named Ladies from Hell by the enemy in the late war, but whether it was or not, the epithet fits admirably the opinion that most persons have of a highlander. He may bare his knees to the winter wind, he may wear funny looking tassels on his belt, he may cut his clothes of plaid in vivid colors—but look out, for he is not a man to tamper with. And the Drifter, for one, would have been perfectly willing to believe that much of his strength and firmness came from his oatmeal.

* * * * *

THERE are literally millions of men and women in the world today who reluctantly sat themselves before a plate of porridge in their youth and listened to the words: "Eat it up now, if you want to grow up to be a big, strong man—or woman." Some had to consume the unwelcome dish with plain milk and without sugar, other more fortunate ones could disguise it with sweetening and cream, but eat it they must and did. When the spoon scraped emptily along the sides of the dish then, and then only, might they reach out for more palatable and no doubt less worthy food. The Drifter has no statistics concerning the number of boys and girls who actually did grow up to be big and strong as a result of this diet, but looking about him he suspects either that the effect of the oatmeal was exaggerated by those in authority, or, like the highlanders, the young hopefuls early changed their fare to jam and tea.

* * * * *

THE latter is more than likely. In these degenerate days, when children no longer feel the rod, when schools no longer keep their pupils seated firmly and silently at desks and demand of them tasks done by rigid rote, probably oatmeal, too, has gone by the board. In its place we have for breakfast food shot from guns, food made out of a whisk-broom cut in bits, food that sticks in the teeth and makes the jaws ache with chewing—all of these doubtless highly proper for a machine age. Or, on the other hand, we have the smooth, slimy, starchy sort of breakfast food that slips down without effort of any kind. The days of real oatmeal porridge, when the stuff was full of taste and oat grains and a body and consistency of its own, have vanished. This is the sort of porridge that highlanders were made of; it took eight hours to cook it over a slow fire—no three-minute oatmeal then; and even diluted with milk or cream, it was no easy task to swallow it down. And when it was down, the eater was fortified against a rude world, innocent of steam-radiators, of elevators, of fur-lined coats. A wool reefer buttoned over a stomach full of oatmeal was the only bulwark against zero cold.

* * * * *

BUT alas, for the obstinacy of mankind. Children did not like their nice porridge; and their parents so heartily objected to the cold and the hardships of life that they set about inventing relief from them. Now we live in a warmer, easier world and scientists figure that in a few thousand years our teeth will disappear because we eat soft foods and will no longer have any use for them. The Drifter does not know for certain whether he is glad or sorry. The truth is that he does not care for oatmeal himself, and to that extent he can sympathize with the highlanders. On the other hand, nothing is so abominable in prospect to him as a perpetual diet of white bread, jam, and tea.

THE DRIFTER

Correspondence

Anita Whitney's Conviction

TO THE EDITOR OF THE NATION:

SIR: The nation-wide protest that is being made against the confirmation by the Supreme Court of the sentence of Miss Anita Whitney to the penitentiary for attending a Communist Labor Party meeting comes with startling force to the voters and taxpayers of Oakland.

The local papers continue to repeat the contention of the protestants that she has been a power for good in this community all her life; that she was for seven years secretary of the Associated Charities of Oakland, and was the first juvenile probation officer here until it became a salaried office, when it was taken over by the man who later became the district attorney—the one, by the way, under whom she was prosecuted. And they continue also the misstatements of officials concerning her. The Governor, in an open letter to Mr. Upton Sinclair denying his plea for a pardon for her, says: "Her powerful influence and wealth have kept her out of prison for nearly six years. Other violators of this law, who have lacked this influence, have been serving their terms in prison."

Now, Mr. O'Connor, her attorney, gratuitously offered his services; and others furnished bail money for her. I found her living where she has been for years, with her aged mother, brother, and sister in a modest old-fashioned apartment house. They keep one servant and have never owned a motor car. She has no "wealth." And if she had "influence," how could she have come into the toils of the law for an offense which in the case of 95 per cent of those present was not held an offense? They indicted her on five counts. All she was found guilty of was the first count, which she admitted: of attending that meeting—of which the record shows that, being a pacifist, she offered a resolution directing their efforts toward legal methods rather than "massed-action." But the Governor, who refuses her a pardon, does not know after five years even the truth about her personal circumstances, which anyone who chooses to call upon her could ascertain for him. At the time of her arrest all her small liquid assets were surrendered in bail for unfortunate offenders whose wives and children she had known and helped—men whose families came to her in frantic distress, without bread in the house, pleading for her help. She gave, for the breadwinner's return. "What could I *do*?" she asked pitifully, in explaining this matter to me, which has been held against her as part of her lawless interference with justice!

Of the six who were arrested, neither she nor any other of the 145 who attended that meeting was arrested at the time. But two weeks later, when she was about to address a civic-center meeting on "The Negro Problem in the United States," her accuser at her trial, Fenton Thompson of the Loyalty Squad, interfered, demanding that she should not speak. She had been first president of the State Civic Center and had helped to organize the Oakland branch. They closed doors and voted then and there, and by 110 to 43 indorsed her. After this meeting Police Inspector Fenton Thompson arrested her.

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Ten thousand dollars bail was demanded. It was he who at a Communist meeting a fortnight before had "planted" a maroon piano cover in a bookcase in a remote corner, inside of whose glass doors was a small silk American flag—this was the reluctant testimony of a *prosecution* witness at the trial.

But at the trial the maroon woolen cloth became a Communist red flag, flaunted with terrorism over the flag of our country. The "plant" of this piano cover was brought out by her attorney in court on the last day he was able to speak there; for he was denied by the presiding judge a continuance which he had asked on account of the deadly illness of his two-year-old child. Her attorney would not ask for his own personal need, which was apparent to all by his flaming cheeks and shining eyes, for he also was suffering like his child from the "flu," and he died forty-eight hours later! That same week one of the jurors died of the "flu," but a thirteenth had been provided—and the judge, in the midst of these funerals, allowed her one day to find a new attorney! She found no more such generosity or keen interest.

Oakland, California, November 21 M. Fay Coughlan

Women's Capacity for Work

To the Editor of The Nation:

Sir: My attention has been called to an article, Jobs for Women, in *The Nation* under date of December 9, 1925, by Ruby A. Black.

A paragraph in this article quotes a representative of the Women's Bureau in a newspaper interview. This representative of the Women's Bureau is myself and the alleged newspaper interview was a feature story written by a newspaper woman by the name of Hazel Blair and circulated by Charles W. Duke, Sunday Magazine editor of the Philadelphia *Public Ledger* two years ago. I had extended correspondence with Mr. Duke at that time advising him that I had given no such interview.

What I want to make clear is that neither I nor any member of the Women's Bureau has ever given an interview taking the position that "Thousands of young women break down every year" and that "Women are more able to stand the clamor and dust and fumes of the factory than the speed and responsibility and tension of office work. Women can stand any kind of work better than professional work, such as law, journalism, and medicine."

We have no information to bear out such a statement and have never made it anywhere.

Washington, December 10 Mary Anderson,
Director, Women's Bureau, U. S. Dept. of Labor

Anthracite Country—Another View

To the Editor of The Nation:

Sir: Anne Hard's articles on the Anthracite Country are fine pieces of writing. They are true as regards the show of wealth in Scranton, Wilkes-Barre, and Hazleton. Their picture, too, of the quiet courage and self-denial of the miners, their wives and families is close to the facts. Nevertheless, the impression left upon the mind of the reader is false. I read those articles in New York; and settled back in my chair with the comfortable thought: "Well, here for once is a strike without suffering. For once we shall not have to look up our old clothes and send them to the strikers."

This morning I arrived at Plymouth—just outside of Wilkes-Barre. I wish Mrs. Hard could have been with me during these past twelve hours. During this past week two children fell fainting in the Plymouth schools. They were starved. One boy ate rotten apples thrown out by a grocer. Another boy confessed to a baker that he had not eaten for twenty-four hours. In that one town are many, many children without underwear or substantial clothing of any sort. It must give them a lively satisfaction to look at the fur coats which roused Mrs. Hard's admiration.

These miners have nerve and pride. They are not squealing. A good deal of bravado, moreover, is a necessary part of their campaign strategy. But it doesn't fill stomachs or keep out the cold.

Anyone who wants to help can send food or clothes to Mrs. Jacob Waring, president of the Women's Civic Club of Plymouth, Pennsylvania.

Wilkes-Barre, Pa., December 6 William E. Bohn

A Red-Blooded Vegetarian

To the Editor of The Nation:

Sir: So you too are a victim of the popular superstition that a vegetarian is a thin, shrinking coward and a meat-eater a sleek, attractive hero! How perfectly simple! But is this in harmony with the general progressive trend of *The Nation?*

And are you aware that you need only publish a few more grossly unjust articles like Ernest Sutherland Bates's The Vegetarian and the Tiger [November 25] to make mortal enemies of all your vegetarian subscribers? Or do you think them so negligible that you can safely ignore them?

Redwood City, November 27 Willy H. Van Rhyn,
A vegetarian mother of three boys who have never tasted meat and are neither bags of bones nor cowards

That Alleged Italo-Russian Treaty

To the Editor of The Nation:

Sir: I note in your issue of November 18 a paragraph on the so-called Italo-Russian treaty. You have probably seen the denials of the Moscow and Rome governments and of the London Soviet embassy. I happen to know that the relations between Russia and Turkey are very cordial and that an understanding with Italy by which Turkey would suffer is altogether out of the question. Friendship with Turkey is as fundamental to Soviet foreign policy as friendship with China.

The Turkish ambassador was the only ambassador at the station here when Rakovsky left for Paris, and the Turkish ambassador in Moscow is very much *persona grata* in the Commissariat for Foreign Affairs. Turkey is the biggest Moslem Power—barring Anglo-Saxon Britain—moreover she controls the Straits. The Russians want to be good to her. True, after Lausanne, where the Turks let down the Russians, there was a period of lukewarmness, but that is all over now. The rumor about the treaty can be explained in several ways. The relations between Russia and Italy are cordial. Italy has ambitions in the East, in Asia Minor, in Syria. It would be comforting to Italy to have Russian aid in these designs.

London, November 25 Louis Fischer

What Solomon Said

To the Editor of The Nation:

Sir: In your issue of December 9 Mr. Upton Sinclair rebukes you for attributing "Spare the rod and spoil the child" to Solomon. He writes: "Hudibras said it. What Solomon said was: 'He that spareth the rod hateth his child.'"

The passage presumably referred to is in Proverbs, ch. 13, v. 24. The Authorized Version (King James version), the Revised Version, and the American Revised Version all give it in the following words: "He that spareth his rod hateth his son."

Ithaca, N. Y., December 6 Charles E. Edgerton

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Books and Plays

The Meeting

By JAMES CHICHESTER

I saw them meet upon the hill,
Circe and the fair Persephone;
The day was hushed and strangely still—
The maid came led by Mercury.

The meeting on that teeming mound
Set signals for all things to rise;
Green growths came springing from the ground
And rain fell softly from the skies.

First Glance

"MAY DAYS: An Anthology of Verse from *Masses-Liberator*," edited by Genevieve Taggard (Boni and Liveright: $3), possesses a merit which is so rare in anthologies of contemporary verse that it deserves to be cried out. "May Days" is interesting. Numberless other collections of modern poems are more or less valuable for reference, and some of them are indispensable. But they are not continuously readable, and the reason is, I fancy, that the contents are catholically chosen for their excellence alone. Now it happens that we differ in nothing today so much as in our notions as to what constitutes excellence and importance in poetry; so that a "representative" volume of the "best" poems will of necessity be a hodge-podge both of ideas and of styles, and one may be sure that the future, having its own conviction as to what was important in our time, will find most of the going in these anthologies very hard. I have always believed that an anthology should be one-sided, that it should reflect only the prejudices of the editor or the tendencies of his school. It will then be interesting to certain readers at any rate; and if in the long run it prove all wrong, surely that will be the next best thing to having proved all right. I neither know nor care what the future will think of "May Days," but I am positive that it will be in no doubt as to the character of the book. For it has a character. All of the poems in it are the product of a point of view.

Just what that point of view was Miss Taggard has had some difficulty in saying in her introduction. And no wonder, since it shifted with events and with the coming and going of personalities. It is with the shifts that Miss Taggard has had the most trouble—and again no wonder, considering that the period of which she writes the intellectual history in fifteen pages included not only "a war and a revolution and five or six famines" but a most engaging holiday—a May Day—of free speech just on the eve of the war and the revolution referred to. Yet in the main Miss Taggard has brilliantly succeeded in suggesting the spirit which moved the poets and cartoonists of the *Masses* and the *Liberator* in those most exciting days of American journalism. "What survived," writes Floyd Dell, "was a collection of pictures, articles, stories, poems, and plays so gay and bold, so new and vivid and forceful, that the magazine [the *Masses*] became a sort of rallying-place for young genius from all over the country." Here are the best of the poems.

"Although much fine poetry was published in the *Masses-Liberator*," says Miss Taggard, "I have not tried to restrict this anthology to verse of conspicuous poetic merit. Much of the best is light verse. I have tried to preserve everything that gave the flavor of those days." Wherein, of course, she was exactly right. There are many pieces of conspicuous merit—by John Reed, Max Eastman, E. E. Cummings, C. E. S. Wood, James Rorty, Carl Sandburg, Louis Untermeyer, Hazel Hall, Louise Bogan, Genevieve Taggard, Vachel Lindsay, and Amy Lowell. But light verse and propaganda verse predominate, and they are what give body to the book. And the final distinction is given it by several longer poems toward the end which, although they were called forth by particular events, still breathe with passion and anger and pity. These are Third Degree and The Strange Funeral in Braddock, by Michael Gold, and Tom Mooney and The Heretics, by William Ellery Leonard.

MARK VAN DOREN

The Latest Negro

The New Negro. Edited by Alain Locke. Albert and Charles Boni. $5.

THIS book marks an epoch in the hectic career of the American Negro. It illuminates an intellectual revolution which owes its origin and expression to a multiplying series of social changes during the past decade. In undermining and annihilating the Negro myth it functions as a clarifying and signal contribution to contemporary thought.

What is the new Negro? The old Negro, according to the common conception, was an indolent, docile creation without the spirit of resistance or the desire for independence. Like most common conceptions, this one is wildly erroneous. Before the American Revolution alone, for instance, over twenty-five rebellions of black slaves occurred. After the revolution the rebellions multiplied. The struggle in Haiti under the courageous leadership of Toussaint L'Ouverture, the aid rendered Bolivar in his vivid victories in South and Central America, the reaction of the Negro in the past war all parade in formidable contradiction to the conception. These insurrections, however, were evidences of primitive recalcitrancy and aggressiveness rather than of a provocative and intelligent rebelliousness. They were the frantic, futile struggles of a suppressed race. The new Negro represents a different reaction. He is rebellious likewise, but his passions have become subtilized, his primitivism refined. He has discovered a new weapon—the pen. A new culture is in the process of evolution. And the present volume is an expression of that culture. The great diversity among the topics it treats is a sound indication of the versatility of the Negro genius. Here is represented the effervescence of a new spirit in an ancient people.

The cultural growth of the Negro since the Civil War went through two evolutions before it reached its present culmination in the philosophy of the new Negro. The first stage was characterized by a passionate imitation of the culture of the white race. White mores, white conceptions, white ideals became for the Negro the source of both inspiration and aspiration. Negro leaders fell in line with this servile, goose-step procession. The second stage revealed a revolution in attitude. This period was marked by the literature of protest. Imitation was transformed into antagonism. Things white were denounced and things black were eulogized. In Negro fiction, for example, the heroes were black and the villains white. It was a period of melodramatic sentimentality. This stage reached its apex of extravagance and fanaticism in the Garvey movement with its "back to Africa" slogan, its Black Star Line

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steamship company, its black god, black madonna, and black Jesus. The third and latest stage is without the servility of the first or the exaggeration of the second. Now the aim is for firmer form and stricter substance, and there has already been attained an objectivity of description and exposition which is novel in Negro art. In the fiction of the new Negro the good characters are no longer always Negroes or the bad characters always whites; they vary with the shift of episode, the science of situation. The imitation and hostility of the first two periods have been swallowed up by the growing objectivity of the third. In Negro sociology the same vicissitudes of thought and sentiment are to be detected. Armstrong and Booker T. Washington, the founders of the schools at Hampton and Tuskegee, with their emphasis upon adaptation, their advocacy of industrial education, their denunciation of resistance, represented the first stage; Burghardt DuBois and the National Association for the Advancement of Colored People, with their defiant declaration of human rights and their sentimental exaltation of all things black, represented the second stage; while Charles Johnson (editor of *Opportunity*), Alain Locke, and Abram L. Harris, Jr., with their plea for an objective approach to the entire race problem and an equally impartial study of things Negro and white, represent the third stage.

Slavery had bred despair and a yearning for the bright vistas of another world. Without happiness or hope, it had turned the Negro from the real to the ethereal, from the earthly to the Elysian. This other-worldly religiosity, while productive of the exquisite music of the "spirituals," has handicapped the Negro in his progress in this world; and it has infused Negro art and philosophy with a sentimentality from which it rarely has been able to escape. It lingers yet, a vestige that scarcely has begun to wither. The fiction contained in the present volume, for instance, suffers chiefly from the defects of this sentimentality, this inability to create art without melodrama, beauty without crudity. Fisher, Matheus, Hurston, and Nugent, all earnest and sincere craftsmen, are still fettered by amateurish techniques and by styles that stumble instead of flow. The work of Eric Walrond is more advanced. Although superficial in substance, his story is redeemed by diction that glitters if not glows and by a spirit that is fresh if not spontaneous. Jean Toomer, however, is the general of the group. His work transcends in significance and beauty everything that has been produced in Negro fiction. He is the Lafcadio Hearn of Negro literature. In a style as subtle as a dream he has beautified the trivial and ensnared the elusive. And Countee Cullen has well-nigh achieved in poetry what Toomer has achieved in prose. McKay in places is brilliant, and Hughes is often persuasive, but Cullen is in a score of ways their superior. Among the essays those of Charles S. Johnson, M. J. Herskovits, Walter White, and E. Franklin Frazier are most significant.

In the next fifteen years a still newer Negro will be evolved. That Negro, in a still newer book, will leave an even greater record of the increasing genius of his race.

V. F. Calverton

W. E. Woodward

Bread and Circuses. By W. E. Woodward. Harper and Brothers. $2.

MR. WOODWARD is one of those who, having discovered that the world is all wrong, are in the best of all possible positions for enjoying it thoroughly. Both the ancient task of justifying the ways of God to man and that more characteristically modern one of justifying the ways of man to God are sufficiently difficult to disturb the equanimity and ruin the temper of anyone intelligent enough to comprehend the problem, but there is much to be enjoyed by those who can wash their hands of all responsibility for either eternal justice or the goodness of the human heart. Mr. Woodward's opinion of the qualities which make for success is sufficiently indicated by the title of a book—"The Importance of Being Second Rate"—said to have been written by the hero of the present work, and his opinion of the human species is much like that recommended by the Abbé Coignard when he pointed out the tendency of idealists to hate that chief portion of mankind which does not come up to their ideals; but the result of this disillusion is a great capacity for enjoying the spectacle of life. Thanks to it no good story ever turns bitter in the mouth because, after the way of good stories, its poetic justice is not quite perfect; and no personality ceases to be engaging because its limitations are apparent. There are, it may be remarked, three sorts of serenity to which men may attain. There is the serenity of those who rest in a muddled faith in a "somehow good" and there is the serenity of those from hope and fear set free; but there is a third kind, simple enough to name but oddly difficult of attainment for those born with brains and understanding, which may best be described as a realization that one did not make the world and is not responsible for its defects. Those who achieve the first generally become liberal clergymen; those who achieve the second have generally little to say; but the third is the philosophy of the perfect raconteur, and Mr. Woodward is certainly the best of contemporary raconteurs.

He has looked "business," the central fact of American life, through and through, and he understands thoroughly that combination of luck and greed which goes to the making of the most admired careers. He knows moreover that nothing short of a complete inversion of contemporary standards of value and a complete reorganization of contemporary society can possibly introduce sanity into a mad world; but experience and meditation first transformed the reformer he might have been into a satirist and then, not content with that, softened the satirist into a genial and philosophical commentator. Perhaps because he himself did not realize how complete this process had become his last book, "Lottery," was cast into the form of a satire; but "Bread and Circuses" frankly abandons even the pretense of bitterness and becomes merely the observations of a man who has gradually developed an absorbed but wholy disinterested concern with the strange variety of his fellow-creatures.

The scene is a Connecticut farm resort frequented chiefly by the definitely or the vaguely literary; the structure is as loose as that employed by Peacock or Huxley or Norman Douglas; and the effect is indeed that of a "Chrome Yellow" or a "South Wind" completely American in tone as well as in locale, for there is about it as about these others that touch of extravagance and caricature which is less deliberate distortion than the natural result of the realization that only familiarity keeps us from perceiving that the ordinary is essentially as fantastic as any invention can be. Mr. Woodward, like one of his characters, has been reading "Mole's History of Human Folly—not in the abridged edition in eighteen volumes with which most people are familiar, but the extended work in forty-two volumes, which contains the colored plates and the appendices"; so that his story, for example, of the Lollipop King who owed his millions to the fact that while a street-car conductor he had been impressed by the universal stickiness of children, had searched out the cause of this condition, and had, by the invention of the confection which made him famous, succeeded in ameliorating this condition, maintained an inward if not outward fidelity to the history of American fortunes. As for "The Importance of Being Second Rate," it is, so he points out, "luminous with optimism," since, though it admits that the world has always been bitter and cruel to talented and sensitive people, it indicates how easy is the practical solution which consists in adapting oneself to the world.

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"Almost anyone can be second rate. You do not need even a college education."

"Bread and Circuses" is, I think, the best of Mr. Woodward's books because in it he has achieved a thoroughly personal form which gives him ample opportunity for using the inexhaustible store of anecdotes with which his mind seems to be stored and yet supplies a unifying thread. Thanks to it also he can interject those comments which add so greatly to the richness of the book by indicating the substratum of genuine wisdom upon which his fantasy rests. Mr. Woodward is not a young man and he came late to writing, but he came like one who discovers after many wanderings the region for which he was really born. For years he had lived the active life of his time and been completely immersed in it. Now that time falls into the proper perspective, and so his humor lacks the shrill provinciality of some of our most successful American satirists because he sees his material as the artist must—not in time alone but, as he manages subtly to suggest, in eternity also.

JOSEPH WOOD KRUTCH

Unemployment

Can Business Prevent Unemployment? By Sam A. Lewisohn, Ernest G. Draper, John R. Commons, and Don D. Lescohier. Alfred A. Knopf. $2.

The Regularization of Employment: A Study in the Prevention of Unemployment. By Herman Feldman. Harper and Brothers. $3.50.

ASSURANCE of regular employment as a cure for unemployment occupies the central and pivotal place in these two books. Each poses the question asked in the title of the first one: "Can business prevent unemployment?" Each answers: "Yes, to a considerable degree." None of the writers is sanguine enough to say that business enterprises can so completely control the regularity of their operations as to eliminate all unemployment. They agree that such unemployment as cannot be prevented thus will have to be in part prevented by the provision of employment on public works, or by the facilitating mechanism of public employment exchanges and in part merely made more endurable by unemployment insurance.

The first volume is the result of collaboration between two business men and two professors of economics. It summarizes the achievements of the newer strategy as they are illustrated by the experiences of a few selected establishments, and lists the names of more than one hundred concerns "which have worked successfully along stabilizing lines." Separate chapters are given to unemployment insurance and to public policies for the relief of unemployment. Other chapters are, in effect, summaries of Professor Feldman's detailed and systematic treatise.

Mr. Feldman squeezes social and governmental remedies into a relatively small section at the back of his book. In this section he makes a careful appraisal of labor-market coordination and of unemployment insurance. The bulk of his volume —some 250 closely printed pages—is devoted to a systematic, carefully elaborated explanation and criticism of remedies attempted by individual establishments and industries. He deals with the control of demand through research, diversification of output, style simplification, the shaping of purchasing habits, scientific sales planning, systematic labor control, training and transfer within the plant. There is copious citation of individual establishment experience, with careful appraisal of the results.

These results are impressive. The contents of the two books show how much water has slipped over the dam since 1914. Scores—probably hundreds—of concerns are attacking this most serious of all labor problems in ways which then either were undreamed of or were believed to be of quite secondary importance. And yet one wonders. Do not these writers exaggerate the competence of business to handle the problem of unemployment? Unquestionably it can accomplish a very great deal. But "business" is not a self-contained, well-integrated force; it is a jarring complex of hundreds of thousands of individual enterprises, individual wills, working at competitive or monopolistic cross-purposes. Single units by the hundreds, perhaps by the thousands, may be able successfully to achieve (by the methods outlined in these volumes) so complete an internal balance and elimination of intra-establishment frictions that employment will be greatly steadied. But friction between sovereign establishments is a more serious problem—a problem which involves, in the reviewer's opinion, long-distance forward-planning by an authority which is above the battle.

It is true that both treatises give some space to public or governmental programs of prevention and relief. Some emphasis is laid on public-employment exchanges as well as on unemployment insurance and on research and fact-finding. These programs have merit. They do not seem likely, however, to be effective in eliminating any large proportion of the unemployment which will persist after the business concerns have accomplished their large part. Whether or not the government should be *in* business more, it should certainly be *concerned* with it more; concerned to limit its "rights," alter its rules of procedure, when those rights and rules run athwart the welfare of the community. For example, the width of the margins and extent of the fluctuations in profits may have a bearing upon regularity of employment. If so, the state might well consider using an excess-profits tax to limit the profit margin and so, perhaps, make it easier for business enterprises to resist the temptation to sacrifice labor stability to anticipated extraordinary profits.

Despite these somewhat irrelevant misgivings, the reviewer expects the two books to be widely useful; the first by inspiring business men with confidence in the idea, the second by showing them by precept and example just how to give it a measure of reality.

PAUL F. BRISSENDEN

Let It Be Allowed

Color. By Countee Cullen. Harper and Brothers. $2.

THESE lyrics by the youngest of the Negro poets—Countee Cullen is just past his majority—are likely to be considered less as the work of a gifted individual than as the utterance of a gifted, and enslaved, people. And indeed Mr. Cullen's poems are intensely race-conscious. He writes out of the pain of inflamed memories, and with a wilful harking back to the primitive heritage of his own folk. The peculiar flavor which the book gets from the fact that it was written by a colored man is to be had most sharply in the first section, from which the volume takes its title. This tang is the essence of such pieces as Atlantic City Waiter, Fruit of the Flower, and Heritage, with their insistence on the savage past; it is the essence, too, of the lovely Song of Praise, and of that shrewd lyric To My Fairer Brethren:

> Though I score you with my best,
> Treble circumstance
> Must confirm the verdict, lest
> It be laid to chance.
>
> Insufficient that I match you
> Every coin you flip;
> Your demand is that I catch you
> Squarely on the hip.
>
> Should I wear my wreaths a bit
> Rakishly and proud,
> I have bought my right to it;
> Let it be allowed.

Again and again Mr. Cullen strikes the harsh note which carries the scorn of the oppressed, the arrogance of the insulted

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and injured. He is engaged by the somber power and terrible brilliance of Africa as a Jew might be engaged by the purple days of Solomon's glory, or as the Gael is moved by the bright bloody history of his island. The poem by which Mr. Cullen is perhaps best known, The Shroud of Color, could have been written only by a Negro. It is a piece which, in spite of its sad lack of concision and its many cliches, yet abounds in true spiritual vigor.

But though one may recognize that certain of Mr. Cullen's verses owe their being to the fact that he shares the tragedy of his people, it must be owned that the real virtue of his work lies in his personal response to an experience which, however conditioned by his race, is not so much racial as profoundly human. The color of his mind is more important than the color of his skin. The faint acridness that gives an edge to many of these lyrics is a quality which one finds in Housman, or even in the minor strains of Herrick and of Horace. There is, for example, the song To a Brown Girl; and the same pungency is felt in the companion piece, To a Brown Boy, or in Wisdom Cometh with the Years. The twenty-eight rhymed Epitaphs have, almost without exception, a pure Gallic salt, as witness the one For a Lovely Lady:

> A creature slender as a reed,
> And sad-eyed as a doe
> Lies here (but take my word for it,
> And do not pry below).

And even in what might be called his African poems it is Mr. Cullen's endowment of music and imagery and emotional awareness that matters, over and above the presence of jungle shapes and shadows.

These excellences—fantasy, lyricism, and fine sensitiveness—the book undoubtedly has. It has also faults, the faults of youth. The poet does not shrink from such rubber-stamp phrases as "costly fee," "crimson vintage," "ensanguined mead," "coral lips." He clutches at stars and clings to dreams like any neophyte, and lives in the pleasant reassurance that after death he will return to talk to his love "in liquid words of rain." But there seems little doubt that he will shed these puerilities before his youth is over, that he will discipline and develop his unquestionable gift.

BABETTE DEUTSCH

Mosul

Mosul and Its Minorities. By Harry Charles Luke. London: Martin Hopkinson and Company, Ltd. 10/6.

MOSUL to the reader of the American press has come to mean little more than a vast oil-puddle concerning the disposition of which there have been some undignified correspondence between the British and American governments and, more recently, a public brawl between Downing Street and Angora. The student knows Mosul (the modern successor to ancient Nineveh) as a Mesopotamian city which boasted political and economic importance centuries before petroleum became one of the stakes of diplomacy. By reason of its strategic location at one of the military and commercial crossroads of the Near East, Mosul has attracted to itself a curious hodge-podge of nationalities, races, and religious sects which defy adequate classification and description. If the human problems of Mosul have been overlooked by diplomatists they are not thereby deprived of their inherent interest, as will be testified by any reader of Mr. Luke's attractive book. As sometime assistant governor of Jerusalem Mr. Luke seems to have caught the spirit of the Near East; in any case he has breathed the air of Palestine, Syria, Transjordania, and Iraq and has not been stifled. What is more, he likes Mosul and has a fine curiosity concerning its history, its life, and its peoples. Kurds, Arabs, Turks, Armenians, Assyro-Chaldeans, Jews, Devil-Worshipers, and others are full of human interest to him. His book, "written in the scanty leisure of a busy official life, is to help to make these singularly interesting peoples better known to English readers, and to win for them, if possible, some additional measure of sympathy in the difficult times through which they are passing." A laudable purpose is this, especially in a world surcharged with mandates, oil concessions, atrocities reports, air raids, armed insurrections, and the like. The book is enlivened by illustrations pleasant and unpleasant—in the latter category a photograph of a public hanging in Mosul leaves nothing to the imagination.

EDWARD MEAD EARLE

Books in Brief

Kunala. By Arpad Ferenczy. Harcourt, Brace and Company. $2.50.

Women are depraved, deadly, insatiate, double-tongued like serpents, and treacherous like pits covered with leaves and twigs. This is the theme running through sixteen stories told by the Kunala bird, devoted to merry adventure and quick—with good Buddhist morality—to see the temptress always.

Man of Strife. By Grove Wilson. Frank Maurice, Inc. $2.

Turmoil and contention in a man's blood war with his heart's longing for beauty and peace. Bruce Barton plunges bitterly through experiences in love, flounders to no purpose in his career as journalist, and fights the world to wrest a fragment of grace from it. A disjointed story, with much action and little significance, yet touching in sudden moments an emotional reality which elevates it all too briefly.

East of Eden. By Lynn Montross. Harper and Brothers. $2.

A novel of the cornfields, of the anxious change and uncertainty that hang over the mid-American farmlands. A balance is well kept between the intense longing of youth to leave the enslaving soil and the heavier, more tragic struggle of the older farmer to organize an agrarian association.

Highland Annals. By Olive Tilford Dargan. Charles Scribner's Sons. $2.

Superstitions still guide the conduct of the Southern mountain folk of whom Mrs. Dargan writes. Her affection for these people never melts to sentimentality; neither does it freeze into the objectivity of a sociological study. She sees the ruggedness of their lives, and how nevertheless they lack the stamina to combat the sense of fatality which keeps them as they always have been; but she aureoles what pathos she finds, what unconscious grandeur, with her own enthusiasm and understanding.

Married Life. By Edith O'Shaughnessy. Harcourt, Brace and Company. $2.

Mrs. O'Shaughnessy has a disturbing power, a sure and pointed and tender vision for the irreparable flaws in life. Here are six short stories dealing with phases of modern marriage, and each is appealing and absorbingly interesting. Mrs. O'Shaughnessy is always explicit and resilient; and her penetration into human tangles is luminous.

The Nation's Poetry Prize

THE NATION offers an annual poetry prize of $100 for the best poem submitted by an American poet in a contest conducted by *The Nation* each year between Thanksgiving and New Year's Day. The rules for the contest in 1925 are as follows:

1. Each manuscript submitted in the contest must reach the office of *The Nation*, 20 Vesey Street, New York City, not earlier than Tuesday, December 1, and not later than Thursday, December 31, plainly marked on the outside of the envelope "For *The Nation's* Poetry Prize."

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2. Manuscripts must be typewritten and must have the name of the author in full on each page of the manuscript submitted.

3. As no manuscripts submitted in this contest will in any circumstances be returned to the author it is unnecessary to inclose return postage. An acknowledgment of the receipt of each manuscript, however, will be sent from this office.

4. No more than three poems from the same author will be admitted to the contest.

5. No restriction is placed upon the subject or form of poems submitted, which may be in any meter or in free verse. It will be impossible, however, to consider poems which are more than 400 lines in length or which are translations or which are in any language other than English. Poems arranged in a definite sequence may, if the author so desires, be counted as a single poem.

6. The winning poem will be published in the Midwinter Literary Supplement of *The Nation*, to appear February 10, 1926.

7. Besides the winning poem, *The Nation* reserves the right to purchase at its usual rates any other poem submitted in the contest.

The judges of the contest are the editors of *The Nation*. Poems should in no case be sent to them personally.

Drama

The Russians Triumph

THE stunning performance of "Lysistrata" given by the members of the Moscow Art Theater Musical Studio for the first week of their engagement at Jolson's Theater indicates that their visit may well constitute the chief artistic event of the season. At least to those unfamiliar with their language their version of Aristophanes's comedy must remain merely the scenario for a pantomine, and in it they employ music to a much less extent than is usual with them; yet so continuously beautiful and exciting is the spectacle they offer that it may without exaggeration be said that no such perfect union of the appeals which the theater can make to the eye and to the ear has been seen before on our stage, and that the sensuous warmth of their art makes anything of similar sort which we can offer seem painfully chilly by comparison.

We can wonder at and we might dream of imitating the synthesis of rhythm and color which they achieve, but the temperament of their actors is something which is and probably must remain neither imitable nor wholly comprehensible —the product of a race accustomed to an emotional exuberance foreign to our natures and of a tradition of expression through sensuous means unfamiliar to us and to those other people who, like us, know only words as a means of expression. For years the Russians have been accustomed to sing or to dance the things which other peoples have said. They have translated their poems into the sensuous language of melody; they have danced their stories; they have seemed sometimes to be able to state even their criticism of life in a rhythmic gesture; and as a result their bodies are alive and eloquent. Words we can use, especially if instead of uttering them we can put them upon paper, and thus we open our souls to one another in books passed silently from hand to hand; but acting is as strange and artificial to us as it is natural to the Russians. It is with difficulty that we teach even the expressions of our face to speak, and at the best our bodies are dumb. These Russians, on the contrary, are eloquent even to the tips of their toes. They defy with the crooking of an elbow, they implore with one outstretched hand, and when they mock they are mockery personified. And yet—most marvelous of all—these fiery temperaments and these eloquent bodies are disciplined to a perfect sense of style; though they speak so copiously and so vehemently, nothing ever disturbs the harmony of the whole since all their variety is included in one continuous rhythm, much as in the greatest poetry the most divers and the most discordant passions find somehow complete expression within the limits set by the regular beat of verse.

We cannot, I suppose, have everything, and if I were compelled to choose between this magnificently sensuous art and that art of words which is the only one ever really mastered by those who made the tradition to which I belong, I have no doubt that I should choose the second and the colder —partly, perhaps, because it is the only one which I can thoroughly understand. And yet the very least that can be said of this company from Moscow is that it brings to us the perfection of an art whose beauty could not have been guessed before it was seen.

"Merchants of Glory" (Guild Theater) is a French play written with a very definite purpose—to ridicule and excoriate those who trade upon the fame won by others in the war and who march to political victory under banners inscribed with vaguely patriotic sentiments and "the names of our glorious dead"—and yet it escapes in a considerable measure the usual futility of the propaganda play by the subtle persuasiveness of its argument and, more especially, by the insight which it reveals into that unconscious hypocrisy which betrays those who do not know until too late how utterly they have been betrayed. Had it chosen as its central character the eternal opportunist, the profiteer who does appear in a subordinate position, it could hardly have avoided the obvious; but it has chosen instead the simple-minded father of a supposed hero and it has traced with remarkable insight the stages by which he comes gradually to exploit for his own ends what was in the beginning a genuine and overwhelming sorrow.

With the very considerable effectiveness of the play as propaganda I have no immediate concern. It exhibits, moreover, one of the defects almost inevitable in the play with a purpose, for its characters, though skilfully drawn, are slightly abstract after the manner of all characters created in order to fit a previously conceived intellectual scheme. Yet it seems to me to rise to the level of intellectual and dramatic importance because of the insight which it reveals into that capacity of the human mind to deceive itself which we are only beginning to understand. The authors have remembered what those who attack an illusion generally forget; they have remembered that those who cherish the illusion cherish it not because of any meaninglessly obstinate blindness but because the illusion performs a function in their lives and often because, as in the case of the father in the present play, it enables them to escape from a reality too terrible to be borne.

The authors again have realized that the hypocritical statesmen who live upon the legend that to die mutilated in the mud of a battlefield is *dulce et decorum* could not keep the lie alive were it not that there are thousands who have a need to believe it and, propagandists though they are, they have realized that the problem which they discuss offers no solution so simple as that of brushing aside a few profiteers and a few demagogues. The true villain of the piece is not the opportunist nor the profiteer but that insidious cunning of the human mind which can invent a delusion to save itself and then fall victim to its own device. In the production which the Theater Guild has given the play the excellent work of Augustin Duncan as the father and of Jose Ruben as the son makes them stand out in a cast of unequal merit.

Eugene O'Neill's romantic play "The Fountain" (Greenwich Village Theater) has moments of great beauty and yet it is somewhat disappointing, chiefly, perhaps, because it reveals little of the characteristic flavor of its author and is obviously a blind alley so far as the development of his genius is concerned.

JOSEPH WOOD KRUTCH

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International Relations Section

India's New Intransigence

By W. NORMAN BROWN

THE spectacular days of Gandhi and non-cooperation in India have passed and the surface of Indian politics is now less troubled than for eight years; nevertheless the intensity of Indian political sentiment is greater than ever before and the activity of the Nationalists more effective. Before the appointment of the Montagu-Chelmsford Commission on Indian Constitutional Reform the anti-British, or home rule, feeling expressed itself chiefly in direct seditious action and utterance. When the new constitution was defined and made operative, the disappointment of the Nationalists broke out in further sedition that culminated in the serious disorders accompanying non-cooperation. But during the past three years the Nationalists, taking advantage of the weapons provided by the new constitution, have brought legislative, rather than seditious, pressure to bear upon the Government of India. Their aims are the same, the spirit is not diminished, but the greater certainty of success has produced action that is less frantic.

The credit for the change of tactics belongs almost entirely to the Swaraj Party and its founder, the late Mr. C. R. Das. A man of much political ability, he had first opposed Gandhi's non-cooperation, then later accepted it; but in December, 1922, feeling that the movement was not proving successful, he had advocated a modified non-cooperation. He failed to carry with him the All-India National Congress, of which he was president at the time, and he broke away, forming a new party, now known as the Swaraj Party. This is at present the dominant party in India; it is back again in the All-India Congress, having returned by invitation last Christmas on its own terms, and last July it received the final surrender of Gandhi, who declared it his accredited agent.

Das's attitude was practical, expedient, that of a competent political strategist, lying midway between complete boycott of the "Satanic" British rulership urged by the Mahatma and the whole-hearted cooperation so earnestly besought by the Government for the new constitution. Although, like Gandhi, he hated the new scheme with its principle of "dyarchy," he perceived the weakness of the scheme in "reserving" some subjects to the administration for legislation and "transferring" others to the legislative bodies for action, which action, however, in most cases the Government could override through its powers of "certification" of defeated measures. Gandhi's method was complete refusal to employ the legislative bodies established under the constitution, to contest no elections, and at the same time to boycott the courts. Das, on the other hand, urged the Nationalists to elect representatives to the national and provincial legislative bodies. These representatives would form an opposition to the hand-made Government party, which is composed not of elected members but of certain administrative officials who are in the legislative bodies ex officio and a number of members who are "nominated," that is, appointed, by the Government. The Nationalist representatives should make their demands in the legislatures. If these demands should be granted, well enough; but if they should be refused by the Government—and it was a foregone conclusion that they would be—then the Nationalists should adopt a settled policy of opposing all measures supported by the Government. If they should prove able to defeat the Government party, then a situation would arise in which a "responsible" Government, as in England, would resign, and a new ministry be formed with the confidence of the dominant party. In India, where the Government is not "responsible," there would be no such easy success, but the Government would be in the unenviable position of having to use its powers of certification to enact legislation that had been repudiated by the people's elected representatives.

This plan of entry into the Legislative Councils has been successful. Although the Swaraj Party itself has never had a majority in any national or provincial legislative body, it has been able with the frequent help of other Nationalists to defeat the Government in Bengal, Bihar, and the Central Provinces, to compel the withdrawal there of certain "transferred" subjects of legislation, to deny salaries to the ministers, who are appointed by the governors—in short, to give verisimilitude to the claim that the dyarchy has been destroyed and the bureaucracy revived.

In national affairs they have not had this success, for there legislation lies in the hands not of one body but of two, the National Legislative Assembly and a second chamber, known as the Council of State. This second chamber has a larger proportional government element than the lower house, while its elected members are chosen by a much more limited electorate. Hence, while the Swarajists, with their allies, have succeeded in defeating the Government in the Assembly, their action has invariably been rescinded by the Council of State.

The deadlock thus created seemed unalterable until the Swarajists about six months back showed the first signs of abating their intransigence. The initial gesture was made by Mr. Das on May 2, in his presidential address at the opening on the Bengal Provincial Conference. He repeated the demand for dominion status—"not servitude but free alliance by consent"—censured the Government of India for the Amritsar tragedy and the Bengal "ordinance" of last winter that authorized the administration to arrest, hold, try, and condemn without resort to the usual processes of law, but at the same time made the significant pronouncement that "provided some real responsibility is transferred to the people, there is no reason why we should not cooperate with the Government." These opinions were embodied in a resolution and adopted by the conference. Shortly afterward Gandhi gave his approval, and a little later Mr. Jinnah, leader of the other important Indian party, the Independents, announced himself in accord with the Swarajists.

The good faith of the Swarajist gesture has been further made evident by two specific instances of cooperation. The first of these was the acceptance by Mr. Nehru, successor to Mr. Das as All-India head of the party, of a seat on a government-appointed committee to recommend means of increasing the Indian element in the army. The second came at the opening of the session of the National Legislative Assembly, August 21, when the chair of president fell vacant and for the first time was thrown open to election. Mr. Patel, the leading Swarajist of western India, ran for the office, was elected, and has since gen-

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uinely cooperated with the Government by subordinating party loyalty to the demand of his position for impartiality and has thereby won the commendation of the Government and the Nationalists alike.

Meanwhile, Lord Birkenhead, Secretary of State for India, had in July made his long-awaited speech before the House of Lords, which he had prepared only after consultation with the Viceroy, Lord Reading, who had been called home from India especially for that purpose. The heart of his remarks was that there would be no serious change in the Indian constitution before 1929, the date originally set for revision, but meanwhile the Government would welcome signs of unity among the Indians and would consider extension of representative government along lines that might be agreed upon by all parties.

The signs of unity were not long coming. When the National Legislative Assembly met in August the Swarajists and the Independents succeeded in constructing a common program and at the proper time presented it. The occasion was the report of the Muddiman Committee on Indian Constitutional Reform. This committee had been appointed long ago by the Government, and Lord Birkenhead had stated that the very moderate recommendations of the majority report would be executed. When the report was presented to the Assembly, Lord Reading asked that the majority report be accepted and recommended. But the Nationalists, completely united, by a vote of 72 to 45 rejected it as inadequate and urged the execution of a series of measures proposed by Mr. Nehru in an amendment. Although this amendment was afterward rejected by the Government-controlled Council of State and the Government was not embarrassed by having to consider it formally, it is worth reproducing here as embodying the present aspiration of Indian leaders. The following is quoted from the weekly Calcutta *Statesman* for September 10:

> This Assembly, while confirming and reiterating the demand contained in the resolution passed by it on February 18, 1924, recommends to the Governor General-in-Council that he be pleased to take immediate steps to move His Majesty's Government to make a declaration in Parliament embodying the following fundamental changes in the present constitutional machinery and administration of India:
>
> (*a*) The revenue of India and all property vested in or arising or accruing from property or rights vested in His Majesty under the Government of India Act, 1858, or the present act or received by the Secretary of State-in-Council under any of the said acts shall hereafter vest in the Governor General-in-Council for purposes of the Government of India.
>
> (*b*) The Governor General-in-Council shall be responsible to the Indian Legislature, and, subject to such responsibility, shall have power to control expenditure of the revenues of India and make such grants and appropriations of any part of those revenues or of any other property as is at present under the control or disposal of the Secretary of State for India-in-Council save and except the following which shall for a fixed term of years remain under the control of the Secretary of State for India: (1) expenditure on the Military Services up to a fixed limit; (2) expenditure classed as political and foreign; (3) payment of all debts and liabilities hitherto lawfully contracted and incurred by the Secretary of State for India-in-Council on account of the Government of India.
>
> (*c*) The Council of the Secretary of State for India shall be abolished, and the position and functions of the Sec-

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¶ Unless he has the best possible defense he will go back again to years of prison life. His defense is costing $5,000. His lawyers are Austin Lewis, who represented him in the first trial, Gaston M. Ashe, R. W. Henderson and Arthur M. Bundy.

¶ His case is in the hands of the Ford Defense Committee, Lee Tulin, Sec'y, Box 3122, San Francisco.

¶ We appeal to all friends of justice to Ford to contribute what they can. Mrs. Irwin, who is among the signers of this appeal, was an eyewitness of the first trial, in which she says these men were railroaded. A pamphlet, with her vivid account of it and the strike, can be obtained free from the American Civil Liberties Union, 100 Fifth Avenue, New York City, which is helping the defense.

Signed

Ernestine Black
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retary of State for India shall be assimilated to those of the Secretary of State for self-governing dominions save as otherwise provided in clause (*b*).

(*d*) The Indian army shall be nationalized within a reasonably short and definite period of time, and Indians shall be admitted for service in all arms of defense, and for that purpose the Governor General and the Commander-in-Chief shall be assisted by a minister responsible to the Assembly.

(*e*) The central and provincial legislatures shall consist entirely of members elected by constituencies formed on as wide a franchise as possible.

MILITARY EXPENDITURE

(*f*) The principle of responsibility to the Legislature shall be introduced in all branches of the administration of the Central Government subject to transitional reservation and residuary powers in the Governor-General in respect of the control of military, foreign, and political affairs for a fixed term of years, provided that during the said fixed term the proposal of the Governor General-in-Council for appropriation of any revenue or moneys for military or other expenditure classified as "defense" shall be submitted to the vote of the Legislature but that the Governor General-in-Council shall have power notwithstanding the vote of the Assembly to appropriate up to a fixed maximum any sum he may consider necessary for such expenditure, and, in the event of a war, to authorize such expenditure as may be considered necessary. . . .

All this might seem to be nothing more than parliamentary maneuvering, but such is not the case. The fight is not merely between the Swaraj Party and the Government; it is a struggle between the entire Indian electorate and the Government. Small though the enfranchised fraction of the population is, its voice is, after all, the only voice the country yet has and it must be listened to attentively. In lesser matters, especially in the provinces, the Swaraj Party has last summer and this fall suffered a number of defeats and even experienced internal dissension but on large issues the Nationalists are all agreed under the leadership of the Swarajists.

In the face of the persistence and universality of the Indian cry for immediate, far-reaching constitutional reform the Government may find itself forced to cease looking upon the date 1929 as sacrosanct. Perhaps Mr. Wood, the newly appointed Viceroy, may be able to devise a satisfactory compromise. The change of pilot offers the Government an opportunity to alter its course without losing face. Mr. Wood is unknown in India; he comes out with nothing against him personally. He even has two advantages that no other recent Viceroy has enjoyed. He is the present British Minister of Agriculture, and as such may have acquired experience that will enable him to provide a much desired solution of some of India's most pressing agricultural problems. He was also for many years prominent as president of the English Church Union, from which fact it is deductible that he is a man of strong religious interests. This is antecedently likely to endear him to Hindus, to whom religion is the paramount interest in life, and who, more liberal in this respect than Mohammedans or Christians, admire a man for religious activity, even though it be in behalf of another faith than their own. With a fair degree of political tact, he may be able to pacify the Nationalists, secure them a part of their wishes, and at the same time attain the British end, which is now merely to guide the inevitable transition of India from subject to self-governing state within the empire.

Contributors to This Issue

H. L. SCAIFE'S articles, The Aircraft Disgrace and The Aircraft Monopoly, appeared in *The Nation* for December 9 and December 16.

LOUIS FISCHER, who has been *The Nation's* correspondent in Moscow, is now in London representing the Telegraph Agency of the Soviet Union.

FRANK R. KENT, vice-president of the Baltimore *Sun*, is sending *The Nation* biweekly Washington letters.

JAMES CHICHESTER is the Zona Gale scholar at the University of Wisconsin.

V. F. CALVERTON is editor of the *Modern Quarterly* and author of "The Newer Spirit."

PAUL F. BRISSENDEN, of the economics department at Columbia University, has written various studies of employment and the standard history of the I. W. W.

BABETTE DEUTSCH has written two volumes of verse: "Banners" and "Honey Out of the Rock."

EDWARD MEAD EARLE, assistant professor of history at Columbia University, wrote "Turkey, the Great Powers, and the Bagdad Railway."

W. NORMAN BROWN of Johns Hopkins University spent 1923 and 1924 on the faculty of the Prince of Wales College at Jammu, in Kashmir.

Oswald Garrison Villard, Editor *The Nation;* Philip Payne, Managing Editor the *Daily Mirror,* and Don C. Seitz, of the New York *World,* will speak on THE TABLOID NEWSPAPER at the third *Nation* dinner, January 7, at the Fifth Avenue Restaurant, New York. Tickets $2.50 to *Nation* subscribers and their guests.

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